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Implementation of recommendations on the six mandated areas of the Forum and on the Millennium Development Goals

Information received from the United Nations system and other intergovernmental organizations**

International Labour Organization

Summary

The present submission of the International Labour Organization (ILO) to the United Nations Permanent Forum on Indigenous Issues at its sixth session (May 2007) outlines the current status of a number of ILO projects and programmes addressing indigenous issues. This report brings together information and inputs relevant to indigenous and tribal peoples from different programmes within ILO, following up on those relevant to poverty reduction strategies and the redefinition of the Millennium Development Goals and focusing on those relevant to territories, lands and natural resources. A number of suggestions and recommendations are also included.

* E/C.19/2007/1.

** The submission of the present document was delayed to ensure the inclusion of up-to-date information.

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I. Recommendations addressed exclusively to the International Labour Organization

1. There were no recommendations addressed exclusively to the International Labour Organization (ILO).

II. Recommendations addressed to one or more agencies

2. Below are brief responses to the recommendations of relevance to ILO. These responses are not extensive but, where necessary, references to further information sources are included. Most of the information pertaining to these recommendations is included under other subject headings in the present report in order to avoid duplication and ensure proper contextualization. A number of the recommendations have been grouped into thematic areas and the responses are provided according to these general areas.

A. Recommendation No. 40

3. The ILO Declaration on Fundamental Principles and Rights at Work and the Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples have encouraged research on the inclusion of indigenous peoples' needs and priorities in poverty reduction strategy papers. In 2007, with funding from the Danish Government, the Project has initiated a new one-year project to promote the practical inclusion of indigenous peoples in the poverty reduction strategy paper processes in Cambodia, Cameroon and Nepal. The aim of the project is that good practices and lessons learned for including indigenous peoples' needs and priorities in the poverty reduction strategy paper processes are documented and disseminated to governments, the Permanent Forum and the Inter-Agency Support Group for the Permanent Forum. Detailed information can be found in section IV.B.3 of the present document.

B. Recommendations Nos. 83 and 84

4. An international seminar on indigenous peoples living in isolation or experiencing initial contact in the Amazon and Gran Chaco region was organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Vice-Ministry of Lands in Bolivia, the International Work Group for Indigenous Affairs and the Confederation of Indigenous Peoples of Bolivia from 20 to 22 November 2006. An ILO specialist participated in the workshop and made a presentation of the Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169) and its relation to indigenous peoples living in voluntary isolation.

C. Recommendations Nos. 108, 116, 117

5. The Project to Promote ILO Policy on Indigenous and Tribal Peoples has been undertaking a number of activities in the African region that respond directly to the above recommendations. These activities include elements of longer-term projects

or processes with specific objectives, outputs and results. The following are examples of such activities (further information is provided in subsequent sections of the present report):

(a) Project to undertake research on constitutional, legislative and administrative measures of relevance to indigenous peoples in Africa. This project constitutes a collaboration between ILO, under the Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples, and the working group on indigenous populations/communities of the African Commission on Human and Peoples' Rights. The research under this project is implemented with the collaboration of the Centre for Human Rights of the University of Pretoria. The project began in 2006 and a workshop was held in Yaoundé in September 2006 to determine the scope and methodology of the research project. Further information can be found in section IV.B.4 of the present report;

(b) National project to build capacity on indigenous issues and integrate the concerns of indigenous peoples into national poverty reduction efforts. As follow-up to the recommendations of a number of research initiatives and national workshops in Cameroon during 2004 and 2005, the above-mentioned project was officially launched in November 2006 with a workshop to identify priority areas and potential partners for the project. Further information on this project is contained in section IV.B.6 of the present report;

(c) Subregional training on indigenous issues in Central Africa: instruments and good practices. In collaboration with the ILO International Training Centre in Turin, Italy, the Project held a one-week subregional training on indigenous issues in Yaoundé, in November 2006. The training constitutes a component of the Project's regional training strategy, and was attended by representatives of governments, indigenous peoples and non-governmental organizations. Further information is contained in section IV.B.2 of the present report.

D. Recommendation No. 136

6. A number of initiatives undertaken by ILO have responded to this recommendation, including trainings and awareness-raising activities at the international, regional and national levels. For example, a subregional training on indigenous issues was conducted in Central Africa in November 2006, a regional training was conducted in Chiang Mai, Thailand, in June 2006, and an international training was conducted in Turin in September 2006. Further details of these trainings are contained in section IV.B.2 of the present report. The Project also contributes to the training of English, French, Russian and Spanish-speaking indigenous fellows of OHCHR.

7. Furthermore, a number of efforts are aimed at engaging in a process of capacity-building for different target groups at national and local levels, within the context of existing national projects on indigenous issues. Examples of this are projects in Cameroon, Cambodia, Honduras and Nepal under the Project to Promote ILO Policy. Further information about these national efforts is contained in section IV of the present report.

8. Within the context of these training and awareness-raising initiatives and processes, tools and guidelines are being, or have been, developed for diversified

target groups on a broad range of issues pertaining to indigenous peoples. Examples of tools produced during 2006 include a handbook on combating child labour among indigenous and tribal peoples and a set of publications on the Millennium Development Goals, based on case studies from Bolivia, Cambodia, Cameroon and Guatemala.

III. Obstacles to implementation of the recommendations of the Permanent Forum

9. In its response to the Permanent Forum, ILO has emphasized those elements of its activities and strategies that respond most directly to the various recommendations, but that also constitute elements of broader and longer-term processes in which ILO is engaging in order to promote the principles of Convention No. 169. ILO highlights that, in order for the Forum's recommendations to have a sustainable impact, it is important that its recommendations foresee results-oriented processes, as opposed to a number of individual activities. In this regard, it is also important to ensure that recommendations refer to a limited number of key subject areas, in order to ensure the feasibility of results and follow-up in the context of longer-term processes.

IV. Other information regarding recent policies, programmes, and activities within the ILO

10. Many of the activities outlined below are covered in more detail in the most recent ILO *Newsletter on Indigenous and Tribal Peoples* (see www.ilo.org/indigenous) which is available in hard copy from the Project to Promote ILO Policy on Indigenous and Tribal Peoples.

A. International Labour Organization advisory group on indigenous issues

11. The ILO advisory group was established in 2005 to ensure the coordination of activities among the various ILO departments and field offices addressing indigenous and tribal peoples' issues. The group is instrumental for making the linkages between indigenous and tribal peoples' issues and the core areas of the ILO mandate and work more evident. As such, the advisory group plays an important role in the broader agenda of mainstreaming indigenous and tribal peoples' concerns into all areas of the work of ILO.

12. ILO has recently initiated work to raise awareness of the potential of using the Convention concerning Discrimination in Respect of Employment and Occupation of 1958 (No. 111) as a framework for promoting and protecting indigenous and tribal peoples' right to decent work, respecting their specific rights, needs and aspirations. The objective to raise awareness of Convention No. 111 and its linkages with the provisions of Convention No. 169 among indigenous peoples' representatives and ILO constituents. The combined framework offered by these Conventions in terms of discrimination against indigenous peoples in employment and occupation addresses both the application of individual rights (of women and

men) and collective rights (of indigenous peoples). See section IV.E of the present report for more information on studies on discrimination against indigenous women and section IV.D.3 for initiatives to address discrimination against indigenous peoples' traditional occupations.

1. Update concerning the supervision of International Labour Organization conventions

13. At its 2006 session, the ILO Committee on the Application of Conventions and Recommendations examined the application of Convention No. 169 by Argentina, Colombia, Ecuador, Fiji, Guatemala and Paraguay. The comments issued in respect of those countries encourage their Governments to put in place an appropriate framework for the application of the Convention, based on a coordinated and systematic policy of consultation and participation. The Committee stressed the potential of the Convention as a tool for dialogue to address important issues such as natural resources. Under the Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries of 1957 (No. 107), the Committee examined the situation in Pakistan requesting the Government to indicate how it ensures the participation and consultation of tribal peoples in the context of its plans to bring tribal areas within the coverage of national economic and social policies.

2. Issues raised by the ILOC Committee on the Application of Conventions and Recommendations

14. The Committee noted a number of positive developments in Argentina, inter alia, efforts to develop a systematic and coordinated policy. It noted the adoption of Act No. 26160 that forbids, during a period of three years, the withdrawal of indigenous peoples' land based on judiciary decisions and orders by the Government to regularize indigenous lands during this period. The Committee also noted that within the national legal system, Convention No. 169 is directly applicable and that its provisions had been successfully invoked before the courts by indigenous organizations.

15. The Committee dealt with natural resources and consultations in Colombia. It noted with satisfaction that the Government has recognized that afro-descendants from Curbaradó and Jiguamando are covered by the Convention and asked the Government whether this recognition extends to other afro-descendant communities that face difficulties due to the exploitation of their lands by palm oil companies. In respect of the situation of the U'wa people, the Committee emphasized the need to build trust and to making further progress in response to a specific request made by the Government.

16. The Committee dealt with the lack of institutional capacity to improve the application of the Convention in Paraguay, insisting on consultation in order to elaborate a new law; and with regard to indigenous forced labour in the Chaco region, stressed the need to strengthen the new office of labour inspection.

17. In a number of comments under Convention No. 111, the Committee dealt with the discrimination and lack of opportunities faced by indigenous and tribal peoples in respect of employment and occupation, including regarding the exercise of traditional livelihood activities. Comments were issued with regard to countries such as Australia, Argentina, Bangladesh, Burundi, Cameroon, Canada, Chile,

El Salvador, Guatemala and Guyana. The Committee, inter alia, sought to encourage Governments to assess the situation of indigenous and tribal peoples concerning their access to training and work and to review and monitor the impact of laws and policies concerning these matters on indigenous and tribal peoples.

B. Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples

18. The Project works at different levels to promote the development of policies for the protection of indigenous and tribal peoples' rights, based on ILO Convention No. 169, and to build capacity for the implementation of such policies.

19. The Project is located within the International Labour Standards Department. The Department aims to link the information and experiences developed through the ILO supervisory mechanisms with technical cooperation to assist countries in implementing international labour standards, including ILO Conventions Nos. 107 and 169. The Project receives financial support from the Danish Government and from the European Initiative for Democracy and Human Rights of the European Union.

1. Exchange of experiences on the implementation of the principles of Convention No. 169

20. The project aims at documenting and disseminating lessons learned and good practices for the implementation of the principles of ILO Convention No. 169 on a global scale. In 2006, a series of regional consultations with governments and indigenous organizations in Africa, Asia and Latin America were held, which permitted ILO to identify partners who are currently undertaking research on good practices related to the implementation of Convention No. 169. The research covers impact assessments, constitutional reform and development of legislation, self-management, land rights and natural resources, customary law, conflict prevention and resolution, development cooperation, employment and traditional economies, health and education. The results of the research will be used to discuss and disseminate best practices and lessons learned, with particular focus on consultation and participation.

2. Training

21. The Permanent Forum and others have identified institutional capacity-building as a key area for supporting the implementation of indigenous peoples' rights. In response to this, but also as part of its broader mainstreaming and training strategy, the Project organized two regional and one international training in 2006. It also contributed to English, French, Russian and Spanish training programmes in Geneva for the indigenous fellows of OHCHR. In addition, training activities were undertaken at national and local levels as integral components of longer-term processes to address indigenous issues. The examples cited here are of the regional and international training activities. National-level capacity-building efforts are outlined in sections IV.B.4 to IV.B.7 of the present report (full reports can be found at www.ilo.org/indigenous).

Regional training for professional staff in Asia, 26 to 30 June 2006

22. This training constituted a collaboration between ILO, the Asia Indigenous Peoples Pact Foundation (AIPP) and the International Work Group for Indigenous Affairs. Each partner in the training brought its experience in specific areas to the table. ILO has an extensive work in international labour standards and in linking technical cooperation to normative frameworks. AIPP, by virtue of being the only regional indigenous peoples' formation in Asia, has a pivotal role in articulating the perspectives, issues and situations of the indigenous peoples. The Work Group has long been an indigenous peoples' support group at the international and regional levels and has contributed in surfacing broad perspectives on human rights and development issues affecting indigenous peoples.

23. Asia was chosen as a priority region for several reasons:

- The majority of the world's indigenous peoples live in Asia
- The understanding of indigenous issues in many Asian countries is still weak
- Indigenous issues are often regarded as "sensitive" in the region and thus require substantial institutional capacity to be handled constructively
- Most indigenous peoples in Asia are facing rapid and overwhelming changes in their societies and livelihood strategies, which generally leaves them vulnerable to poverty and other forms of marginalization and exploitation such as hazardous work, trafficking and child and forced labour
- In many Asian countries, conflict situations have been fuelled by a lack of consultation and participation of indigenous peoples and widespread poverty and unemployment.

24. The training brought together indigenous resource persons, international experts, government, donors and agency staff working at the levels of policy dialogue and development and field implementation. The subject areas covered by the training were identifying and understanding the main issues of Asian indigenous peoples; the main policy instruments and challenges related to promotion and implementation; international and regional processes and movements; rights-based approaches to poverty reduction, economic development and employment in indigenous communities; methodologies for indigenous peoples' participation in project design, implementation, monitoring and evaluation; peacebuilding and conflict resolution; natural resource management; gender in indigenous communities; and indigenous children and youth.

Interregional training in Turin, Italy, September 2006

25. This training constituted a collaboration between the Project and the ILO International Training Centre in Turin. The overall objective of the training was that selected national and international professional staff would have the capacity to promote and apply indigenous peoples' rights in the context of policy development and dialogue and technical cooperation programmes. The participants were national and international officers and civil society representatives involved in the promotion of policies, strategies and projects concerning tribal and indigenous peoples. Specifically, the training aimed to enable participants to:

- Identify the particular indigenous issues relevant to the country, region and/or thematic area of work
- Have an overview of main policies, legislation, resources, institutions, processes and networks relevant to indigenous and tribal peoples
- Provide training and policy advice on indigenous peoples' rights
- Integrate indigenous peoples' rights in broader policies and programmes
- Ensure the effective participation of and culturally appropriate responses to indigenous peoples in work of relevance to them.

Subregional training for Central Africa, November 2006

26. A subregional training on indigenous issues was held in Yaoundé in November 2006. This training constituted a collaboration between the International Training Centre in Turin, the ILO Subregional Office for Central Africa and the Great Lakes in Yaoundé and the Project. The training brought together representatives of governments, indigenous peoples and civil society organizations from seven countries in the Central African region to focus on issues of specific relevance to the "Pygmy" peoples of the region.

27. The overall objective of the training was to enable participants to contribute to the promotion and application of the principles of ILO Convention No. 169. More specifically, the training's objectives were: identifying the priority issues affecting indigenous peoples in the subregion; encouraging the integration of the principles of ILO Convention No. 169 into policy and other programmes and initiatives affecting indigenous peoples in the subregion; and to facilitate the establishment of subregional and national dialogues on the rights of indigenous peoples.

28. The training was comprised of five main elements and included a number of issues that are especially pertinent for the indigenous peoples of the region. Specific sessions were included on the subjects of protected areas, identification issues, discrimination at work and other core issues of relevance to indigenous peoples in general.

Future perspectives

29. In 2007 and 2008, capacity-building of indigenous, government and development partners continues to be a main priority for ILO assistance. Four training seminars will be held, in Turin, Latin America, South Asia and Africa. ILO will also continue to contribute to staff training of partners such as the European Commission and the Spanish International Cooperation Agency. In addition, ILO will continue its contribution to the fellowship programme coordinated by OHCHR and to national-level capacity-building efforts in several countries in Asia, Africa and Latin America.

3. Poverty reduction strategy paper studies and project

30. ILO has consistently worked to include the "decent work" agenda into national poverty reduction strategy papers aiming at alleviating poverty in the poorest countries of the world. Within this framework, the Declaration on Fundamental Principles and Rights at Work and the Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples have specifically focused on

the inclusion of indigenous peoples' needs and priorities in the papers, inter alia through a desk review of 14 papers and case studies of country processes in Nepal, Cambodia and Cameroon.

31. The research completed has been crucial for generating debate on the inclusion of indigenous peoples' needs and priorities in poverty reduction strategies. However, in order to ensure follow-up at the country-level, ILO has initiated a new project to promote the practical inclusion of indigenous peoples' issues in the poverty reduction strategy paper processes in Cambodia, Cameroon and Nepal.

32. The overall objective of the project is that good practices and lessons learned for including indigenous peoples' needs and priorities in the poverty reduction strategy paper processes are documented and disseminated. The immediate objectives are that:

- Indigenous peoples' needs and priorities for poverty reduction are identified and discussed in three pilot countries (Cambodia, Cameroon and Nepal)
- Country-specific strategies for including indigenous peoples' needs and priorities in poverty reduction programmes of the pilot countries are developed, including the establishment of mechanisms for consultation and monitoring
- The pilot experiences are documented and more general good practices and lessons learned are identified.

33. The project aims at generating experiences and lessons learned that can inform the inclusion of indigenous peoples in the poverty reduction strategy papers at a more general level. The outcomes of the project will thus be shared with a large number of stakeholders, including governments, indigenous organizations, the Permanent Forum and the Inter-Agency Support Group.

4. Promotion of the rights of indigenous peoples in Africa through documentation and discussion of relevant legal and constitutional provisions

34. As indicated in section II of the present report, a three-year research project with the working group on indigenous populations/communities of the African Commission on Human and Peoples' Rights began in 2006. The research project has two broad aims: First, to contribute to the development of suitable policy and legal framework for the protection of the rights of indigenous peoples; second, to build the capacity of relevant actors among indigenous peoples and government institutions.

35. The main outcome of the research will be a comprehensive documentation and database of relevant African legislation to be disseminated to all actors engaged in the promotion and protection of indigenous and tribal peoples' rights in Africa. The research will also enable continued dialogue in the African region on the protection of the rights of indigenous peoples.

36. Within this context, a workshop was held in Yaoundé in September 2006. The workshop in Yaoundé was the first in a series of three workshops envisaged in this project, the objective of which is to examine the extent to which the legal frameworks of African countries impact upon and protect the rights of indigenous peoples.

37. The workshops objective was to gather views and recommendations from indigenous representatives, other experts and various resource persons on the most efficient and suitable way of conducting the proposed research. Workshop participants determined the methodology and scope of the proposed research and identified criteria for selecting specific countries for more in-depth research, mapped existing research initiatives of this nature in the African region to avoid duplication and identified possible partners and resource persons to assist in the research. The workshop participants also discussed the categorization of the various rights of indigenous peoples and the methodological approach that should be taken by the research. Participants in the workshop included members of the African Commission on Human and Peoples' Rights, ILO, the CHR (University of Pretoria), the International Working Group on Indigenous Affairs, indigenous experts, other experts and researchers on subjects related to indigenous peoples, and non-governmental organizations working with indigenous peoples. The recommendations of the workshop are currently being followed up and the research is ongoing (the full report of the workshop can be found at www.ilo.org/indigenous).

5. Capacity-building for dialogue in South Asia

38. The project is focused on facilitating dialogue on indigenous issues in Nepal, Bangladesh, and India; involving and providing targeted training for government, indigenous institutions and civil society organizations. Where Convention No. 107 is in force (Bangladesh, India and Pakistan), it has been used as a platform for dialogue and capacity-building activities to raise awareness of indigenous issues. Additionally, a focus on decent work identifies the main barriers to employment and economic development of indigenous and tribal peoples in the areas concerned.

39. Activities under this project have been running for one year. Encouraging progress has been made in Nepal and Bangladesh in terms of promoting ILO standards on indigenous and tribal peoples (Conventions Nos. 169 and 107), particularly in the context of advocating effective participation in national decision-making processes and in promoting dialogue and cooperation between and among indigenous peoples and the respective Governments. In both of these countries, dialogues contribute to efforts to promote confidence and understanding in conflict situations between indigenous peoples and the State.

40. The main outcomes of the project so far have been research and national dialogues on indigenous and tribal peoples' rights in Bangladesh; development of training materials and training courses in South Asia generally; and national dialogues for the ratification of ILO Convention No. 169 in Nepal as an important element of the peace negotiations and the development of a decent work agenda for indigenous peoples in Nepal. The re-establishment of democracy in Nepal, the declaration of a ceasefire and the formation of an interim Government comprised of major political parties and the Maoists presents a new window of opportunity for the creation of a multi-ethnic State that reflects the genuine aspirations and social diversity of its citizens.

41. Convention No. 169 is being promoted as a framework for dialogue on these key issues of concern. In this context, ILO, in conjunction with its indigenous partner organizations, has been promoting the ratification and implementation of core principles of Convention No. 169 in ongoing peace negotiations. In particular, emphasis is being stressed on the need to apply the core principles of consultation

and participation of previously excluded groups, including indigenous peoples, in processes related to the forthcoming constituent assembly. Sustained lobbying and orientation sessions have resulted in a resolution being passed by Parliament, directing the government to ratify the Convention. The process is ongoing.

42. New initiatives in South Asia for the coming year include research into discrimination and shifting cultivation and studies on gender and discrimination among indigenous peoples in Nepal and Bangladesh; follow-up research on the inclusion of indigenous peoples in poverty reduction strategies in Nepal; case studies from India on progressive legislation and good practices related to indigenous and tribal peoples.

6. The Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples in Cambodia and Cameroon

43. The Project to Promote ILO Policy on Indigenous and Tribal Peoples has undertaken case studies in Cambodia and Cameroon on the relevance of poverty reduction strategy papers for indigenous and tribal peoples and their participation in the strategy papers' process. During 2005, these were finalized and launched at the international level (at the Permanent Forum in May 2005) and in their respective countries. For information on the recommendations from these reports and follow-up work, see section IV.B.3 of the present report.

Cameroon

44. As indicated in section II of the present report, the Project and the ILO Subregional Office in Yaoundé launched a national project in Cameroon in December 2006. The overall objectives of this project are to reinforce the capacity of actors involved in addressing indigenous issues in Cameroon and to facilitate dialogue between these actors in two main areas: for a more systematic consideration of the rights, needs and priorities of indigenous peoples; and for improved mechanisms for their effective participation in legislative, administrative and development processes affecting them. As such, the project contains four main components: the training of trainers and ongoing coaching on indigenous questions, in particular on legislative and development processes affecting them; support to networks of indigenous organizations and directly to indigenous organizations; training and sensitization of the tripartite partners of ILO on indigenous issues and on methodologies for working with these peoples; and development of a strategy to strengthen the consideration of indigenous peoples in national poverty reduction efforts.

45. Within this framework, a national project launch workshop was held in December 2006 in Yaoundé. The workshop brought together representatives of government, indigenous peoples' organizations and non-governmental organizations and other organizations to participate in a dialogue on the priorities and strategies for action. The overall objective of the workshop was to inform participants in more detail about the content of the project and to identify, with their participation, criteria for the identification of project partners and priority strategies and actions for the project to address in order to achieve its proposed outputs. Workshop participants identified a series of recommendations, entry points and priority actions (see the workshop report available at www.ilo.org/indigenous).

Cambodia

46. The Project to Promote ILO Policy on Indigenous and Tribal Peoples has been implementing a national project to promote a rights-based approach to indigenous peoples' development since April 2005. Within the framework of this project, the main activities have focused on promoting and facilitating the registration of indigenous communities' land rights within the framework of the 2001 Land Law of Cambodia, including training for indigenous communities in this regard; and on capacity-building for national and provincial government officials on the rights of indigenous peoples. In addition, the project has undertaken research on indigenous peoples' priorities for poverty reduction, and this will be followed up within the context of the poverty reduction strategy paper project outlined in section IV.B.3 of the present report.

47. In 2006, the project undertook a series of training activities for national and provincial government officials and facilitated the participation of governmental officials charged with mandates pertaining to indigenous peoples in the ILO subregional training on indigenous issues in Chiang Mai, outlined in section II.D of the present report. In addition, ILO worked through local partners in three provinces to implement capacity-building activities for indigenous communities in order to strengthen their internal organization and enable them to register their communities as legal entities, which is a precondition for the registration of communal title to land. Furthermore, the Project provided technical and legal advice to Government ministries in Cambodia charged with the registration of indigenous communities as legal entities.

48. The project has been renewed for the period from 2007 to 2008 and is engaging in a process to follow up on work initiated during the period from 2005 to 2006. Its current priorities are:

- Building the capacity of government institutions to adequately implement legal and administrative provisions for the protection of land rights and on governance issues for indigenous peoples
- Building the capacity of indigenous communities to organize themselves as legal entities in order to enable them to register their communal title to land
- Building the capacity of indigenous organizations to represent their own concerns and to train indigenous communities on their rights.

7. Technical assistance in the Republic of the Congo

49. In 2006, ILO, in collaboration with OHCHR, provided technical assistance to the Ministry of Justice of the Republic of the Congo, in the process of drafting a law on the rights of indigenous peoples. Assistance was provided in the form of training on indigenous peoples' rights for government officials, non-governmental organizations and indigenous representatives, support to workshops organized for the purposes of consultations on the draft law, and technical comments on the draft law. This is the first draft law that specifically addresses the rights of indigenous peoples in the African region.

8. Activities in Bolivia, Guatemala and Honduras

50. The Project aims at strengthening its assistance to countries that have ratified Convention No. 169 by facilitating dialogue and contributing to capacity-building for the implementation of the Convention. These activities will mainly address Latin American countries. In 2006, a number of initial activities were implemented.

Guatemala

51. In Guatemala, a high-level technical workshop on the consultation foreseen in ILO Convention No. 169 was organized in close collaboration between ILO and other United Nations agencies (including the United Nations Development Programme (UNDP), OHCHR and the United Nations Educational, Scientific and Cultural Organization). The workshop took place in Guatemala City from 29 November to 1 December 2006. The workshop was attended by indigenous and government representatives, academics and civil society members. Guatemala ratified Convention No. 169. The discussions and recommendations confirmed that, even though progress has been made, there are still challenges with regards to the application of Convention No. 169 in Guatemala, as in many other countries. These challenges refer in particular to the systematic and coordination action for implementation foreseen in the Convention and to the main topic of the workshop: consultation with indigenous peoples. Currently, there are no specific mechanisms to consult indigenous peoples in Guatemala and the main recommendation of the participants was thus to establish national mechanisms for consultation and to ensure an adequate institutionalization of these mechanisms.

Bolivia

52. In Bolivia, a bilateral programme to support the implementation of Convention No. 169 operates with a total budget of $32 million provided by the Danish Government from 2004 to 2008. The programme focuses on the titling of communal lands; indigenous management of the communal lands; and the mainstreaming of indigenous peoples' rights in policies and public institutions. In 2006, the Project provided technical assistance on two occasions to ensure the best possible alignment of the programme with the provisions of the Convention and with the comments provided by the ILO supervisory bodies.

53. In addition to this, ILO, along with the Ministry of the Presidency and UNDP, organized a seminar in August 2006 on the theme "Consultation with indigenous peoples in the context of Convention No. 169". The seminar was attended by indigenous and government representatives and United Nations and development agencies. The Project and UNDP also jointly supported a study on the challenges faced by the indigenous community Jhatun Ayllu Amarete with regards to achieving the Millennium Development Goals. The report was launched on 1 September 2006, in an event organized jointly by UNDP and the Bolivian Ministry for Foreign Affairs.

Honduras

54. In December 2006, the Project supported a capacity-building seminar on the achievement of, and challenges related to, the application of Convention No. 169 in Honduras, organized by the Confederation of Autochthonous Peoples of Honduras

and Alianza Verde, with two ILO presentations about the general principles of Convention No. 169 and, more specifically, the right to consultation.

55. Furthermore, the Project undertook a series of consultations with key government and indigenous and afro-descendant organizations, academics and representatives of employers in order to explore opportunities for providing longer-term technical assistance to Honduras. The main priorities were identified as legal advice and capacity-building concerning Convention No. 169; and the labour conditions of indigenous and afro-descendants, in particular child labour and the situation of Miskito divers.

C. Combating child labour among indigenous and tribal peoples

56. The Project and the International Programme on the Elimination of Child Labour have recently published the *Handbook on combating child labour among indigenous and tribal peoples* (see the Project Newsletter or www.ilo.org/indigenous).

D. Interregional Programme to Support Self-reliance of Indigenous and Tribal Communities through Cooperatives and other Self-help Organizations

57. The Interregional Programme to Support Self-reliance of Indigenous and Tribal Communities through Cooperatives and other Self-help Organizations (INDISCO) works for the improvement of the socio-economic situation of indigenous and tribal peoples on the basis of the core principles of Convention No. 169. Recently, INDISCO has focused on the following areas:

1. INDISCO and the Project to Promote ILO Policy on Indigenous and Tribal Peoples in the Philippines

58. In the Philippines, INDISCO is implemented following the framework of the Decent Work Country Programme and the rights-based approach by promoting the rights and reducing the poverty of indigenous and tribal peoples. It utilizes a dual strategy for intervention through both policy advice and capacity-building assistance under the combined programmes of the Project to Promote International Labour Organization Policy on Indigenous and Tribal Peoples and INDISCO.

59. INDISCO has implemented several pilot projects in indigenous cultural communities by facilitating support services and following culturally sensitive and participatory processes. Community ownership of projects was ensured by involving indigenous women and men from project planning to implementation.

60. Among the most important ILO-INDISCO activities in 2006 were: the ex-post self-evaluation workshop conducted in May 2006; the project on "Development and publication of case studies on the implementation of the Indigenous Peoples Rights Act in the Philippines", which published and launched the book "A journey of hope: implementing the Indigenous Peoples Rights Act of the Philippines"; and the project on support to poverty reduction and promotion of human rights among the indigenous peoples in the Philippines in the context of ancestral domain development and protection.

2. Partnership on promotion of Maasai cultural heritage

61. The overall objective of this partnership initiative, initiated in 2006, is to assist the Laikipia Maasai in Kenya in the protection, management, strengthening and promotion of their cultural heritage, for their own cultural and economic development.

62. The partnership idea grew out of initial discussions between the Maasai Heritage Preservation Foundation, ILO, the World Intellectual Property Organization and community consultations undertaken with the Laikipia Maasai. The partnership attempts to bring the different resources, experiences and approaches of the various partners together in an innovative process towards achieving the following goals:

- Reaching a consensus agreement within the Laikipia Maasai on how to protect and manage the cultural heritage of the community
- Developing adequate mechanisms for intellectual property protection of the Laikipia Maasai cultural heritage, particularly music, handicrafts and traditional medicine
- Developing capacity and institutional structures within the Laikipia Maasai community for the recording, protection, management, strengthening and promotion of cultural heritage and for the management and sharing of derived economic benefits
- Determining possible business models for the development, production and marketing of products based on the Laikipia Maasai cultural heritage (particularly music, handicrafts and medicine)
- Contributing to the development and documentation of experiences, good practices and tools for the protection, management, strengthening and promotion of the cultural heritage of indigenous communities.

63. In addition to these concrete outputs, it is also expected that the partnership will generate valuable experiences that serve as a model for other indigenous communities and for the Kenyan task force on traditional knowledge.

E. Gender mainstreaming

64. A recent desk review undertaken by ILO has conceptualized the links between Conventions Nos. 111 and 169 in terms of discrimination against indigenous peoples in employment and occupation. In order to provide further knowledge about discrimination as it pertains to indigenous women, the Project and the ILO gender bureau have decided to undertake a series of case studies concerning discrimination against indigenous women in Bangladesh and Nepal. These will be followed up in the future with additional reviews and a broader working paper. The overall objective of the project is to analyse the linkages between indigenous peoples' collective and individual rights and gender equality (as contained in Conventions Nos. 111 and 169) with a view to making policy recommendations for integrating gender considerations into projects affecting indigenous peoples. The specific objectives are:

- With reference to relevant ILO standards and practical examples, providing a broad overview of the main practical considerations and challenges when integrating gender issues into projects affecting indigenous peoples
- Providing recommendations on practical steps required in order to address these challenges.

F. In-Focus Programme to Promote the International Labour Organization Declaration on the Fundamental Principles and Rights at Work

65. Previously, the In-Focus Programme to Promote the International Labour Organization Declaration on the Fundamental Principles and Rights at Work has undertaken two major activities of direct relevance to indigenous and tribal peoples: the Ethnic Audit of poverty reduction strategy paper processes in 14 countries and research on indigenous peoples and forced labour in Latin America.

1. Special action programme to combat forced labour

66. Bolivia and Peru have set up national commissions mandated to develop effective policies against forced labour practices, while Paraguay has announced that it will open an office of the Ministry of Labour in the Chaco region. An ILO project, funded by Sweden, has as its objective providing an opportunity to support these developments and to scale up cooperation on the larger issue of discrimination against indigenous people in the labour market. This project seeks to promote an integrated approach to the fight against forced labour and discrimination, connecting initiatives to combat forced labour with broader social policies aimed at combating ethnic discrimination and promoting equality in the world of work.

2. Study on indigenous populations, labour options and opportunities in Peru

67. ILO is finalizing a study on indigenous populations, labour options and opportunities in Peru. The study intends to document the existence and the characteristics of discrimination in the labour market against indigenous groups, with a gender perspective. It intends to define the characteristics of labour activities in which indigenous individuals are involved; it addresses the reasons for the lower income levels of indigenous people; and it intends to propose adequate indicators for measuring discrimination related to indigenous origin. The study includes a gender analysis to determine whether indigenous men and women are discriminated against in different ways. The study analysed three cases (Lima, Cusco and Pucallpa) with different labour market contexts and with different indigenous presences. The final report will be launched in 2007.

G. Inter-agency activities

68. ILO has been actively involved in ongoing work at the international level in the Inter-Agency Support Group on Indigenous Issues, and has attended several meetings. In addition, ILO has undertaken to coordinate the submissions of different parts of the international system comparing their own policies on lands, resources

and territories, for a common Inter-Agency Support Group paper to the next session of the Permanent Forum.

H. Number of programmes devoted to indigenous issues in ILO (information linked to indicators of achievement set in its work)

69. ILO has two specific technical cooperation programmes that address indigenous and tribal peoples: the Project to Promote ILO Policy on Indigenous and Tribal Peoples, located in the International Labour Standards Department; and INDISCO, based in the Employment Sector. In addition, indigenous peoples' issues are among the priorities of a number of broader areas and programmes of ILO, including the:

- Supervision of the application of ratified Conventions undertaken by ILO supervisory bodies
- In-Focus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work
- International Programme on the Elimination of Child Labour
- ILO gender bureau
- Papua Indigenous Peoples Empowerment project, Indonesia, supported under the United Nations Trust Fund for Human Security
- Red de Turismo Comunitario de America Latina.

V. Information and suggestions regarding territories, lands and natural resources

A. Studies on indigenous peoples' rights to lands, territories and resources and discrimination in employment and occupation

70. ILO has initiated work to raise awareness of the potential of Convention No. 111 as a framework for the promotion and protection of indigenous and tribal peoples' right to decent work opportunities.

71. Convention No. 111 is based on the right to engage in the work or occupation of one's choice without distinction on grounds such as race, colour, ethnicity or indigenous identity. Therefore, national policies and programmes to promote Convention No. 111 need to create a conducive environment for allowing indigenous and tribal peoples to engage in their traditional livelihood activities, if they decide to do so.

72. Due to the fact that indigenous and tribal peoples' traditional livelihood activities are performed in and for the community and on the basis of collective resources (particularly land and natural resources), individual and collective rights have to be taken into account in the design and implementation of any national policy to promote equality of opportunity in employment and occupation under Convention No. 111.

73. In addition to avoiding indirect discrimination, it may be necessary to adopt special measures, such as protection and assistance, which favour indigenous and tribal peoples (for example special budget allocations or special mechanisms to combat infringements of their land rights). Such are not deemed to be discrimination vis-à-vis the rest of the population, as Convention No. 111 specifically allows for the accommodation of particular requirements of certain groups, including with a view to eliminating past or persisting discrimination. Convention No. 111 specifically refers to special measures provided for under other ILO conventions (including those concerning indigenous and tribal peoples).

74. In sum, a number of direct and indirect linkages between discrimination against indigenous and tribal peoples in employment and occupation, traditional occupations, and access to lands, territories and resources, can be found in the application of Conventions Nos. 107, 169 and 111. Such linkages have been explicitly recognized by the supervisory bodies of ILO.

75. ILO is currently undertaking three case studies and an overview study to address the interlinked issues of rights to lands, territories and resources, traditional occupations and other forms of subsistence activities and discrimination in employment and occupation. The studies are being undertaken in Bangladesh, Nepal and Kenya. All three countries have ratified ILO Convention No. 111, and Bangladesh has ratified Convention No. 107.

76. The overall objective of the studies is to contribute to the understanding of indigenous and tribal peoples' rights to land, territories and resources as a precondition for the recognition of their traditional occupations, with specific reference to ILO Convention No. 111.

77. The immediate objectives are to:

- Provide an overview of the main policy and legal issues associated with indigenous peoples' exercise of traditional occupations (shifting cultivation, pastoralism and hunting-gathering), with specific reference to Convention No. 111
- Provide recommendations for priority strategies and actions in the context of Convention No. 111, in order to address the challenges and issues identified
- Contribute to the work of the Permanent Forum in its discussion of indigenous peoples' rights to lands, territories and resources
- Contribute to the discussion at national level in Bangladesh, Nepal and Kenya on the recognition of indigenous peoples' traditional occupations (shifting cultivation, pastoralism and hunting and gathering).

B. Land issues in Cambodia

78. ILO has been working on indigenous issues in connection to land issues in Cambodia since April 2005. The main elements of this work are highlighted in section IV.B.6 of the present report. In February 2007, OHCHR, ILO and the non-governmental organization Forum on Cambodia hosted a seminar on indigenous peoples and access to land in Cambodia. The seminar brought together representatives of the Government of Cambodia, indigenous communities,

non-governmental organizations, development partners and United Nations agencies to discuss issues pertaining to land issues and indigenous peoples in Cambodia.

79. Key issues of concern raised during the seminar discussions included:

- The alienation of indigenous land and loss of access to forests that are vital to livelihoods
- Implementation of existing laws providing for the protection of indigenous rights to lands and natural resources
- Coordination between different ministries with mandates relating to indigenous peoples' access to land and natural resources
- The need for indigenous communities to define their own development priorities and participate meaningfully in decision-making affecting their lands and natural resources.

80. Key recommendations identified by seminar participants included:

- Taking concrete measures to halt land alienation in indigenous communities, for example, through a moratorium on the sale and registration of land and the granting of economic land and other concessions in areas occupied by indigenous peoples
- Assisting indigenous communities to register as legal entities
- Assisting indigenous communities to map the boundaries of their communal land and providing interim recognition of these lands pending the legal registration of indigenous communities and of collective title; finalizing the legal and policy framework for the registration of collective title as a matter of urgency
- Supporting indigenous peoples to prepare claims for collective title.

VI. Input towards a questionnaire to enhance organizations' reporting to the Permanent Forum

81. **In order to enhance the reporting to the Permanent Forum with a view to strengthening practical coordination and ensuring follow-up to recommendations, some efforts could be made in order to have more specifically focused discussions during the sessions of the Permanent Forum, which could lead to a limited number of key recommendations. This would enable the agencies to integrate new issues and recommendations in longer-term processes of addressing indigenous peoples' needs and priorities, in accordance with the differentiated mandates and structures of the agencies.**

82. **A questionnaire to agencies should have the ultimate aim of making the reports of those agencies more useful for the specific purposes of the Permanent Forum. Therefore, such a questionnaire should encourage a more focused approach in agencies' reports. This would entail requesting the agencies not only to outline their various normative instruments, policies, programmes or activities in respect of indigenous peoples, but also to highlight the specific challenges associated with the implementation of such normative instruments, policies, programmes or activities and to make recommendations to address those challenges that are specifically relevant for discussion by the Permanent Forum.**

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Implementation of recommendations on the six mandated areas of the Forum and on the Millennium Development Goals

Information received from the United Nations system and other intergovernmental organizations**

United Nations Development Programme

Summary

The present report highlights initiatives and activities undertaken by the United Nations Development Programme (UNDP) in 2006 to implement the recommendations of the Permanent Forum on Indigenous Issues. It provides an overview of the work of UNDP with indigenous peoples, with special focus on lands, territories and resources. The report is a contribution to provide information on and facilitate the work of the Permanent Forum. Further information on specific activities, projects and programmes is available from relevant UNDP offices.

* E/C.19/2007/1.

** The submission of the present document was delayed in order to ensure the inclusion of the most recent information.

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I. Policy framework

1. The corporate mandate, development cooperation processes and agreements of the United Nations Development Programme (UNDP) and the aspirations of indigenous peoples guide the Programme's engagement with indigenous peoples and their organizations. In the context of the International Decade of the World's Indigenous People (1995-2004), and building on previous initiatives and experiences, UNDP issued a policy guidance note in August 2001 entitled: "*UNDP and indigenous peoples: a policy of engagement*". The objective of the policy note is to provide UNDP staff with a framework to guide their work with indigenous peoples. Centred on the Millennium Development Goals as set by world leaders at the World Summit in September 2000, it is underpinned by the normative human rights framework and recognizes indigenous peoples' vital role in and contribution to development. The launch of the second International Decade of the World's Indigenous People (2005-2014) on the theme "Partnership for action and dignity" has given the engagement of UNDP with indigenous peoples a fresh impetus.

2. In May 2000, UNDP established a Civil Society Organizations Advisory Committee to provide strategic advice to senior management on key policy directions. The 15 member Committee, which includes the chair of the Permanent Forum, has helped to bring indigenous peoples' concerns to the attention of the UNDP Administrator and senior management. National civil society advisory committees to United Nations country teams are being established in a number of countries to serve as a forum for dialogue and policy advice on a number of national development priorities, including issues related to indigenous peoples.

3. In April 2006, UNDP launched the "*UNDP and civil society organizations: a toolkit for strengthening partnerships*", which contains numerous tools to guide country offices in developing partnerships and programmes with civil society organizations and includes references to indigenous peoples' organizations. The tools include a methodology for mapping civil society organizations, capacity assessment, an operational guide for working with civil society organizations, information on the design and role of civil society organization advisory committees and a list of resources. The toolkit can be accessed online at http://www.undp.org/cso/documents/CSO_Toolkit_linked.pdf.

II. Human development reports

4. UNDP identifies a critical issue of global concern as the theme for its annual human development report. The reports provide important statistical information on the human development index and are major resource and advocacy tools in devising targeted policy and programmatic interventions at all levels, with particular focus on the achievement of the Millennium Development Goals.

5. The *Human Development Report 2006, Beyond scarcity: power, poverty and the global water crisis*, highlights the linkage between water governance with rising inequality and unprecedented population growth and identifies poverty as the major constraint for access to clean water and discusses how identity is a factor in this regard. The report states that group identity is a marker for disadvantage in many countries, that in Latin America, this is reflected in disparities between indigenous and non-indigenous people, and that in Bolivia, the average rate of access to piped

water is 49 per cent for indigenous language speakers and 80 per cent for non-indigenous language speakers. The report is available online at http://hdr.undp.org/hdr2006/report.cfm.

6. The above-mentioned report also analyses the impact of large-scale development projects, stating that in the rush to develop large-scale infrastructure for irrigation or power generation, many Governments have ridden roughshod over the rights and claims of communities lacking bargaining power, with indigenous peoples often among the worst affected. The report also addresses the growing trend for privatization of State enterprises, and how this has exacerbated socio-economic problems even further. The report points out that one consequence of giving concessions to private companies for water management was that there were no provisions for protecting the customary rights of highly vulnerable indigenous people — a factor that became politically explosive. The report states that in Chile, for example, indigenous groups have also mobilized to use the legal system in a bid to reassert their claims. In 2004, the Aymara and Atacemenos indigenous groups in northern Chile secured a historic ruling that customary use establishes a prior claim that overrides subsequent private water rights.

Regional and national human development reports

7. UNDP also undertakes regional and national reports that serve as policy advocacy documents to take stock of human development and help draw attention to pressing development priorities. The *Asia-Pacific human development report (2006), Trade on Human Terms*, examines regional and international trade in the context of human security. With regard to indigenous peoples, the report notes that geographical indicators, labels identifying a good with attributable geographic features as originating in a particular territory, can protect local knowledge and natural endowments. Debates surrounding intellectual property rights have been particularly contentious for indigenous groups, and the report states that in 2004, the market value of pharmaceutical derivatives from indigenous peoples' traditional medicine was estimated at $60 billion. The report is available online at http://www.undprcc.lk/rdhr2006/rdhr2006_report.asp.

8. National human development reports analyse the development challenges facing indigenous peoples at the country level. The *Philippine human development report (2005), Peace, human security and human development in the Philippines*, cites exploitation and marginalization of indigenous cultural communities as one of the root causes of rebellion in the south of the country. A root cause for rebellion is identified as the exploitation and marginalization of indigenous cultural communities, including lack of respect for and recognition of ancestral domain and indigenous legal and political systems. The report is available online at http://hdr.undp.org/docs/reports/national/PHI_Philippines/Philippines_2005_en.pdf. The *Guatemala human development report (2005), Ethnic-cultural diversion: citizenry in a plural State*, provides important disaggregated data related to human development which sparked a national debate on government response to racism, discrimination and consistent exclusion. A follow-up to the report was elaborated during 2006 by a group of Mayan professionals and spiritual guides in an effort to clarify the concept of human development within the Mayan world view, examined in the book *Raxalaj Mayab' K'aslemalil* (2007).

9. The *Thailand human development report (2007)*, "Sufficiency, economy and human development", raises the issue of persistent malnutrition among indigenous children in remote northern areas. The report is available online at http://www.undp.or.th/NHDR2007/index.html. The *Nepal human development report (2004). Empowerment and poverty reduction*, focuses on the empowerment of women and disadvantaged groups and addresses the issue of structural discrimination. Indigenous people also experience violations of their inherited rights to natural resources and abrogation of their traditional land tenure systems, along with expropriations of their lands, displacements from their traditional homelands and heavy taxes, including some collected in the form of unpaid labour. The report is available at http://www.undp.org.np/publication/html/nhdr2004/index.php.

III. Global programmes

10. The Human Rights Strengthening Programme — 1999-2006 (HURIST) was a joint programme of UNDP and the Office of the United Nations High Commissioner for Human Rights (OHCHR), aimed at integrating human rights into development programming processes by building the capacity of UNDP country offices, supporting the development of national human rights action plans, developing tools and methodologies on human rights-based approaches to development programming and documenting and disseminating good practices in the application of the human rights-based approach. HURIST supported the implementation of the first human rights policy of UNDP entitled "Integrating human rights with sustainable human development" (1998). The work of HURIST will be continued through the UNDP Global Human Rights Strengthening Programme (2007-2011).

11. In 2002, HURIST incorporated an indigenous peoples' component aimed at enabling implementation of the UNDP policy of engagement with indigenous peoples (2001) and creating a mechanism for dialogue at the national level to ensure the participation of indigenous peoples in UNDP activities at both the policy and programme levels. In 2004, HURIST launched two pilot projects in Ecuador and Kenya, which are ongoing. In 2006, with funds from the Catalan Cooperation Agency, HURIST continued its work in Ecuador and expanded to Bolivia and Guatemala with three interlinked strategies: (a) to raise awareness of the human rights-based approach to development; (b) to develop the capacity of United Nations staff to address indigenous issues; and (c) to create consultative mechanisms between the United Nations system and indigenous peoples' organizations.

12. In 2006, the work of HURIST Kenya continued to focus on two specific outputs: (a) to create a forum for dialogue at the national level to ensure the participation of indigenous peoples in UNDP activities at both the policy and programmatic levels; and (b) to sensitize and create awareness of indigenous human rights issues among United Nations agencies, members of parliament and relevant government agencies. The programme resulted in the formation of the United Nations Indigenous Peoples Advisory Committee in Kenya (UNIPAK), which plays a key role in bringing together the United Nations and indigenous peoples. The process has strengthened information sharing and communication with indigenous peoples at the country level as well as exchanges to foster engagements with those communities. Specific activities included needs assessment reports as requested during regional consultations held across the country as part of the implementation of the HURIST programme.

13. As a tangible result from lessons and linkages and through its engagement in the fifth funding cycle of the Assisting Communities Together (ACT) programme, a global programme jointly implemented by OHCHR, UNDP and UNDP Kenya was able to mainstream indigenous peoples' projects into the funding procedure for ACT. As a result, from a total of eight community-based projects granted in 2006, six are being implemented by indigenous peoples' organizations. The projects are currently approaching completion and are implemented within the context of the first phase (2005-2007) of the World Programme for Human Rights Education, with a focus on the primary and secondary school systems. Specific issues addressed are: (a) human rights education in primary and secondary learning institutions; (b) promotion of children's rights in conflict situations; (c) promotion of gender issues and women's rights; and (d) the issue of culture and its impact on the educational system.

14. HURIST Ecuador focuses on project development with the following three goals: (a) to strengthen the Office of the Ombudsman for indigenous peoples; (b) to strengthen dialogue mechanisms at the national level that focus on the implementation of human rights through the establishment of a national indigenous peoples forum; and (c) to disseminate interculturalism and human rights in primary education curricula of the National Office of Intercultural and Bilingual Education.

15. Following up on the success of the pilot phase (2003-2004), HURIST Ecuador is currently in its second phase and is being implemented through the Office of the Ombudsman for indigenous peoples. One of the objectives of the project is to strengthen this governmental institution through capacity-building, the publication of its yearbook and through the elaboration of different studies on issues crucial to indigenous peoples including: (a) the incorporation of human and collective rights into the curriculum of the intercultural school system; (b) the meaning of free, prior and informed consent; and (c) the implementation of collective rights. Discussions are ongoing to identify the modalities for the creation of a consultative mechanism between the United Nations system and indigenous peoples. This is complemented by a process of consultation to elaborate a national report on indigenous peoples and the Millennium Development Goals. The United Nations Inter-Agency Working Group on Interculturalism, of which UNDP is an active member, contributes to the implementation of the project and has inspired the establishment of a similar mechanism for cooperation in Bolivia.

16. HURIST Bolivia operates under the framework of the HURIST programme and with support from the Catalan Agency for Development Cooperation. In 2006, Bolivia initiated a project entitled "Dialogue about indigenous rights and intercultural society". Through this project, UNDP has promoted strong partnerships with other United Nations agencies to work on indigenous issues.

17. The HURIST project has facilitated the production and wide diffusion of two reports about indigenous peoples in Bolivia. The study entitled "Ethnic and linguistic diversity of the Bolivian population" was published and includes a geographical information system that details, from the national to the community levels, the ethnic and linguistic composition of the Bolivian population. It is based on an innovative methodology that combines the variables of self-identification, languages spoken and mother tongue, according to the data produced by the 2001 national census. On the basis of this methodology, the second publication entitled "Indigenous peoples and the Millennium Development Goals" was conducted jointly by the Government's Unit of Economic and Social Policy Analysis and the

United Nations system. It identifies the gaps that exist between indigenous and non-indigenous populations regarding achievement of the Millennium Development Goals.

18. In 2007, the project will work with the Unit of Economic and Social Policy Analysis in order to improve the existing sources of information (census, surveys, administrative records, etc.) and develop a system of indicators that better reflect indigenous perspectives on well-being.

19. The team in charge of the Bolivia national human development reports produces regular radio programmes about critical issues of development that are broadcast in Spanish and in the two major indigenous languages (Quechua and Aymara) of the country. In cooperation with the Ministry of the Presidency and the International Labour Organization (ILO) a technical workshop on the right to consult was held on 4 and 5 September 2006. A consultative workshop on the theme "Indigenous peoples and the Millennium Development Goals" was organized in cooperation with the Ministry of Foreign Affairs and Culture. In addition, two internal capacity-building workshops have been held for United Nations staff.

20. HURIST Guatemala is being implemented jointly with a programme especially addressed to support civil society organizations and as part of the follow-up to the 1996 Peace Agreements. In Guatemala, the issue of human rights and indigenous peoples remains a serious challenge. The strategy to implement the human rights-based approach to development focuses on promoting the mechanisms created within the framework of the Peace Agreements. Thus, the consultative mechanism, the main thrust of the HURIST programme, is being developed by strengthening indigenous peoples' participation in the development councils, which are official spaces to consult and assess local and national development policies. In this context, both a series of videos in indigenous languages for capacity-building and a manual on social auditing have been produced. A toolkit on the implementation of the indigenous peoples' component into development projects as a cross-cutting issue has been developed, published, and disseminated widely through United Nations agencies and national non-governmental organizations. HURIST has also supported the elaboration of a study on the access to justice of indigenous peoples as recommended by the Access to Justice Subcommission of the Justice Commission, which was established through the Peace Agreements.

IV. Regional approaches to indigenous peoples' issues

21. In response to a demand for targeted interventions at the regional level, UNDP is currently implementing a demand driven indigenous specific programme in Asia. The $2 million Regional Initiative on Indigenous Peoples' Rights and Development (information on the initiative is available at http://regionalcentrebangkok.undp.or.th/practices/governance/ripp) was established within the framework of the UNDP policy of engagement with indigenous peoples and has three interlinked strategies: (a) to enhance inter-country sharing of experiences on priority issues, particularly with regard to reducing the incidence of poverty among indigenous peoples; (b) to build capacity among all stakeholders, strengthen information networks and knowledge management systems, particularly among indigenous peoples; and (c) to support their full and effective participation in policy dialogue at all levels.

22. The regional initiative has developed a broad and diverse programme of work aimed at creating a space for regional cooperation and dialogue for Governments, indigenous peoples, United Nations agencies and civil society. The regional initiative is based at the UNDP Regional Centre in Bangkok and is funded through UNDP core resources, an indication of the commitment of UNDP to indigenous issues as part of its policy and programmatic approach.

23. The regional initiative commenced operations at the end of 2004 and is in its first phase. It has been endorsed by Cambodia, Indonesia, the Philippines, Thailand and Viet Nam and implements projects and activities in different countries around the region as outlined below. The regional initiative seeks to generate greater awareness of development challenges faced by indigenous peoples in the region and to strengthen the regional cooperation framework by emphasizing the need to bring indigenous peoples into the development discourse. It is overseen through a steering committee composed of indigenous peoples' representatives, Governments and UNDP and is underpinned by rights-based development approaches.

24. The regional initiative has been active in a number of projects during 2006, in close partnership with Governments, indigenous organizations and United Nations agencies working through UNDP country offices. In 2006, some 30 projects and programmes were led or partnered by the regional initiative, including analytical research, gap analysis, pilot projects and capacity development, with gender as a cross-cutting issue. Work undertaken in the programme is broadly divided into the following strategic areas: (a) law and policy; (b) natural resource management and land; (c) access to justice; and (d) capacity development.

Law and policy

25. The regional initiative strives to use governance systems to promote the rights and development choices of indigenous peoples. In this context, law and policy frameworks are an essential part of effective and sustained change. The regional initiative works on strengthening national policy and programming frameworks in a number of countries to offer a neutral space to bring together Governments, agencies and indigenous peoples' and civil society organizations to discuss and agree on frameworks for cooperation.

26. In Cambodia, UNDP is engaged in providing assistance to the Government in finalizing and implementing a policy on highland peoples' development, which is currently under consideration by the Council of Ministers. This is complemented by programmatic support to strengthen mechanisms for dialogue with agencies and indigenous peoples and is part of the ongoing work of UNDP in the country.

27. In Indonesia, the process of conducting an analytical review of law and policy brought together the Government, the National Human Rights Commission and indigenous peoples to discuss how to better align national laws and policies with the aspirations and rights of indigenous peoples. Another element of the engagement of the UNDP regional initiative included the official commemoration of the International Day of the World's Indigenous People on 9 August 2006 for the first time in Indonesia, with the President of Indonesia attending the ceremony. The International Day of the World's Indigenous People was also celebrated in a number of countries in Asia, including Bangladesh and Cambodia.

Natural resource management and land

28. In view of the centrality of this issue to indigenous peoples, and as a contribution to the sixth session of the Forum, the regional initiative conducted a series of studies on natural resource management policies and practices in Bangladesh, Cambodia, Malaysia and Thailand. The analysis of forest laws and policies and their impact on indigenous peoples highlights the link between natural resources, land and indigenous peoples' rights and the need to take greater account of this synergy when devising policies and programmes affecting indigenous peoples. The series includes a regional overview synthesizing best practices and lessons learned to guide future policy and practice. A common feature highlighted in all the studies, even where the status of indigenous peoples is recognized, are the policies of discrimination and exclusion of indigenous peoples in land ownership and natural resource management. Even where historical facts demonstrate that indigenous peoples hold rights to particular resources, they are ignored and the alienation of indigenous peoples' lands continues. The natural resource management series was implemented through focus group discussions and policy dialogue, which brought together indigenous peoples and government agencies.

29. The series was complemented by a pilot study on land use management in Viet Nam, which has been completed and the results of which were disseminated to policymakers. Those results will feed into a wider strategy on integrating indigenous rights into biodiversity and environmental protection legislation, in which government and indigenous organizations will play an active role.

Access to justice

30. The issue of access to justice and the interface between formal and customary law is critical to good governance and poverty reduction. The UNDP regional initiative has conducted a series of analytical case studies on this issue to assess the gaps and challenges to achieving more inclusive governance. Analyses from Bangladesh, Cambodia, India, the Philippines and Thailand are part of a regional series on inclusive governance for disadvantaged groups being conducted in cooperation with the UNDP Asia Regional Governance Programme and the UNDP Asia-Pacific Gender Mainstreaming Programme. The case studies were carried out in a participatory and empowering process and highlight the root causes for legal marginalization of indigenous peoples, with land emerging as a critical issue. This is of particular relevance in the context of the thematic focus of the sixth session of the Forum. The studies also emphasize the need for greater recognition of customary rights and juridical pluralism as an effective means of providing equitable and easy access to justice for marginalized groups, and provide important input and guidance to UNDP programming at the country and regional levels.

Capacity development

31. Development of the capacity of all partners and stakeholders is a key element, and through training programmes, workshops, study tours and virtual e-learning networks the UNDP regional initiative seeks to increase awareness and capacity on indigenous peoples' issues. In partnership with the Asia Indigenous Peoples Pact Foundation and its local partners, the UNDP regional initiative is training indigenous women to develop their decision-making skills and capacity. As a follow-up to community-based training held in Bangladesh and Malaysia, including

sharing/exchange of experiences, in 2006, the UNDP regional initiative supported skills training in decision-making for indigenous women from Myanmar and the Philippines. Past training sessions have helped shape a community training manual on indigenous women and decision-making. The manual provides easy-to-use modules on how to orient and conduct trainings and helps indigenous women explore and understand the key challenges they face today. It also provides information on relevant national legislation and international laws that are relevant to indigenous women's rights.

32. Another initiative of the UNDP regional initiative, in cooperation with the UNDP Asia Regional Governance Programme, the Asia-Pacific Gender Mainstreaming Programme and Capacity 2015, is a targeted programme for Young Leaders in Governance aimed at strengthening the skills of future leaders. In 2006, two subregional training sessions were organized for South and South-East Asia, in which young indigenous leaders are also trained through the use of modules developed specifically for that purpose. In addition, follow-up on national training sessions were conducted by fellows of the Young Leaders in Governance programme in Bangladesh in partnership with the UNDP Chittagong Hill Tracts Development Facility, and in the Philippines. The Young Leaders in Governance programme will continue in 2007 with funding from the United Nations Democracy Fund.

33. The UNDP regional initiative is engaged in strengthening the application of the human rights-based approach to development as an advocacy tool, with a training manual and human rights training sessions in process, guided by a task force of indigenous experts. Within this framework, discussions are ongoing with the Asian Development Bank (ADB) under the initiative entitled "Engaging in dialogue", wherein the regional initiative is facilitating consultations with indigenous peoples on the safeguard review process of ADB.

Special Rapporteur of the Commission on Human Rights on the situation of the human rights and fundamental freedoms of indigenous people

34. UNDP participated at a regional consultation with the Special Rapporteur held from 9 to 11 February 2007 in Phnom Penh. Indigenous representatives from all over Asia drew the attention of the Special Rapporteur to successes of, obstacles to and opportunities in addressing the issue of human rights of indigenous peoples today. The consultation was organized by the Tebtebba Foundation in close cooperation with the NGO forum.

35. The Special Rapporteur also gave a briefing on his work and mandate to United Nations country teams during a private visit to Thailand in February 2007. The briefing was organized by the regional initiative and helped raise awareness among United Nations staff of the rights of indigenous people in the Asian region.

36. The Special Rapporteur paid a follow-up visit to Guatemala in May 2006 to verify the implications of the recommendations made in 2003. On that occasion, the Indigenous Legal Defense, a Mayan organization applying the International Labour Organization Convention (No. 169) to claim collective rights, presented its second report, with the support of UNDP, on the implementation of the recommendations.

Data disaggregation

37. As a follow-up to the Forum's recommendation on the need for disaggregated data on indigenous peoples, the UNDP regional initiative piloted two data disaggregation projects.

38. A pilot project, implemented by the Tebtebba Foundation, addresses the lack of accurate information gathering vis-à-vis indigenous peoples. Working in close cooperation with the National Statistics Office of the Philippines in an effort to institutionalize disaggregation of data, the project has developed new tools for survey and census collection, which include both disaggregated data and specific indicators to reflect the development circumstances of indigenous peoples. Those tools will be shared with other offices and countries in the region.

39. In cooperation with the secretariat of the Permanent Forum, the UNDP regional initiative provided support to Nepal Tamang Ghedung to disaggregate data using information collected during the 2001 population census and other relevant surveys in Nepal. The project assembled, compiled and disaggregated data from published and unpublished records, files, survey reports and documents of government bodies, departments, universities and census data in the Central Bureau of Statistics. The data was disaggregated on the basis of ethnicity, from the perspective of indigenous nationalities in Nepal, and includes statistics on demography, education, health, migration, economy, human development, human rights and the political status of caste and indigenous peoples/nationalities, including women and children.

V. Initiatives and activities at the country level

UNDP Bangladesh

40. In December 2005, UNDP Bangladesh initiated a five-year multisectoral development programme entitled "Promotion of development and confidence-building in the Chittagong Hill Tracts" for the resumption of a significant scale of international development assistance to the Chittagong Hill Tracts and to build confidence among the people and institutions there to promote long-term peace. The programme is supported primarily by the European Commission as well as by Australia, Japan, Norway and USAID, among others. The operational strategy of the project aims at reducing poverty, especially among the very poor, and to consolidate harmony and stability by helping local institutions to function more effectively and spearhead economic progress. The objective of this project is to revitalize the Chittagong Hill Tracts by empowering government institutions and communities to pursue their own development goals and by creating an enabling environment for poverty reduction, confidence-building and trust among all stakeholders.

41. The present condition of the majority of people in the Chittagong Hill Tracts underscores the need for immediate assistance and quick results. Today, more than 40 per cent of the population is unemployed and only 30 percent live above the national poverty line, while 50 per cent of children drop out of school sometime during their primary education. The infrastructure, such as roads and health facilities, has deteriorated to a practically unusable condition, while other such facilities have already been abandoned. Small development projects will be funded through the quick-impact fund, which will offer communities direct access to

microgrants to undertake small-scale health, infrastructure and employment projects that are conceived and managed locally. This is in response to the UNDP principle that communities know best about their problems, development needs and solutions, and once empowered in terms of organizational, technical and financial capabilities, they will provide the most effective means for realizing both peacebuilding and development opportunities. Further details are available online at http://www.un-bd.org/undp.

UNDP Bolivia

42. **Creation of a National Council for Dialogue**: through a consultative process with indigenous peoples' organizations and the Government of Bolivia, an agreement was signed on 14 December 2006 for the creation of a National Council for Dialogue that gathers representatives of the five major indigenous and peasant organizations in the country, on the one hand, and representatives of United Nations agencies in Bolivia, on the other. A delegate of the Ministry of Foreign Affairs also participates as an observer in the Council.

43. The Council is defined as a space for consultation, partnering, exchange and dialogue on central themes of national development policies, the Constituent Assembly and the Permanent Forum on Indigenous Issues. The Council approved an action plan for 2007 that includes the following main activities: (a) the strengthening of Bolivian participation in the Permanent Forum, starting with the sixth session, which also entails increasing awareness and information in the country about the conclusions and recommendations of the Forum at its sixth session; (b) the provision of expert assistance to the Constituent Assembly and to the indigenous organizations in matters related to international norms of human rights and indigenous rights; and (c) the incorporation of indigenous organizations in the consultation process for the elaboration of the 2008-2012 United Nations Development Assistance Framework.

44. **Creation of a United Nations inter-agency thematic group on intercultural issues**: the main objective of this thematic group is to strengthen the technical and institutional capacity of the United Nations system on issues related to indigenous rights and interculturalism, and to provide support to the empowerment of indigenous peoples through increased partnerships with their representative organizations. The group has played a leading role in the process that has resulted in the creation of the National Council for Dialogue with Indigenous and Peasant Peoples mentioned in paragraph 42 above. These activities complement and are in support of the work of UNDP Bolivia under the HURIST programme described in paragraph 17.

UNDP Cambodia

45. UNDP Cambodia has provided support to the Royal Government of Cambodia through an access to justice programme and through the Regional Indigenous Peoples' Programme in developing a policy on indigenous peoples' development. Such support was provided in close cooperation with the Ministry of Rural Development (Department of Ethnic Minorities), and support has also been provided to the preparation of a strategic framework and action plan for indigenous peoples' development, which was complemented by direct support to indigenous peoples and their organizations in participating in national policy dialogue processes

and to an indigenous peoples' forum for development. In 2005, for the first time in Cambodia, the International Day of the World's Indigenous Peoples was celebrated, as it was in 2006, with UNDP support. UNDP also provides support to an indigenous youth network in Cambodia, including to a small team using media to disseminate and share the experiences and challenges faced by indigenous peoples in Cambodia.

46. In February 2007, a seminar aimed at providing a space for dialogue on indigenous peoples and access to land in Cambodia was organized by OHCHR, ILO and the NGO Forum on Cambodia, with support from UNDP. It brought together representatives of the Royal Government of Cambodia, including the Secretary of State from the Ministry of Land Management, Urban Planning and Construction, the Director-General of the Council for Land Policy and the Under Secretary of State of the Ministry of Rural Development, indigenous peoples, civil society, donors and United Nations agencies to discuss key issues related to land and resource rights. The United Nations Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples and the Chairperson of the Permanent Forum also participated in the seminar. Indigenous peoples stressed the importance of land to their livelihoods, culture and identity and the increasing problems they face in gaining access to lands and natural resources as a result of land alienation, including through concessions.

47. A regional workshop on land was organized in Cambodia by the Asia Indigenous Peoples Pact Foundation in cooperation with the International Working Group for Indigenous Affairs and other partners as a key contribution to the Permanent Forum's focus on land, territories and resources during its sixth session.

UNDP Ecuador

48. UNDP Ecuador has undertaken some initiatives to protect the rights of indigenous peoples. They include providing support for the process of establishing a council mandated to advise the United Nations system in Ecuador on the planning, implementation and evaluation of its policies and programmes on indigenous peoples and to assist the United Nations system in formulating strategies that promote and secure the implementation of the human rights and collective rights of indigenous peoples in the country. The Council will also provide support to the follow-up to the recommendations of the Forum and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people.

49. The United Nations Inter-Agency Working Group on Interculturalism is a mechanism aimed at coordinating the work of the United Nations system in Ecuador with relation to indigenous peoples and those of Afro-Ecuatorian descent, which is led by the United Nations Population Fund (UNFPA). The Working Group assists with the follow-up to the recommendations of the Permanent Forum and the Special Rapporteur of the Commission on Human Rights on the situation of the human rights and fundamental freedoms of indigenous people, and recently submitted its second report to the Forum.

50. The Special Rapporteur visited Ecuador in April 2006 and presented his report to the Human Rights Commission in 2007. He stressed the need to pay special attention to the increasing problems that indigenous peoples living in remote areas are faced with owing to illegal logging and other activities carried out in their territories. A press release on the visit of the Special Rapporteur is available at

http://www.unhchr.ch/huricane/huricane.nsf/view01/E98A8F9551BA4621C1257165002C38F6?opendocument.

51. UNDP Ecuador has also begun to provide support for activities related to the protection of the rights of isolated indigenous peoples, including the process of establishing an inter-institutional coordination mechanism led by the Ministry of the Environment, identifying priorities for the protection of isolated indigenous peoples, and participating in the "*Seminario regional sobre pueblos indígenas aislados y en contacto incial de la amazonia y el Gran Chaco*" held in November 2006 in Santa Cruz de la Sierra, Bolivia.

UNDP Kenya

52. The Special Rapporteur of the Commission on Human Rights on the situation of the human rights and fundamental freedoms of indigenous people visited Kenya from 4 to 14 December 2006 at the invitation of the Government. The visit was coordinated by the UNDP country office in the framework of an existing agreement with OHCHR and was organized in close cooperation with the Government of Kenya and the Kenya National Commission on Human Rights. This partnership was an important step in the process of enhancing indigenous peoples' issues in Kenya.

53. The United Nations Indigenous Peoples Advisory Committee in Kenya, which was created through the HURIST programme described in paragraph 12 above, was instrumental in facilitating specific components for the visit of the Special Rapporteur. The members of the Advisory Committee were instrumental in organizing meetings between the Special Rapporteur and indigenous communities in various parts of the country, and the Special Rapporteur was able to visit many pastoralist and hunter-gatherer communities during his mission, including Maasai communities in the Kaijado, Laikipia and Narok districts, the Ogiek in Mau Forest, the Endorois in Lake Bogoria, the Sengwer in the Cherangany hills and the Somali in the north-eastern region.

54. A national indigenous peoples' workshop was convened with the participation of indigenous representatives from all over the country. In the workshop, members of the Advisory Committee presented the main human rights challenges faced by their own communities as a result of engagement within the framework of the HURIST programme. The information provided was subsequently used by the Special Rapporteur in the preparation of his final report on the visit. A report on mainstreaming indigenous peoples' issues as a result of implementation of the HURIST programme in Kenya was also launched at the workshop.

55. In his report, which was presented to the Human Rights Commission at its fourth session in March 2007, the Special Rapporteur analysed the different challenges faced by indigenous peoples in Kenya as well as a number of government initiatives that have started to address those challenges in recent times. Even though the term "indigenous" is not widely used by official institutions, the Government has acknowledged that pastoralist and hunter-gatherer communities face a situation of discrimination and marginalization in relation to other segments of the national policy owing to historical injustices, exclusion from decision-making and failed development policies. As a result, the Government has currently embarked on a number of policies aimed specifically at improving the situation of those communities, including affirmative action measures, and has also started to recognize their distinct ways of life in the definition of development strategies.

56. Among the many challenges faced by indigenous peoples in Kenya, the Special Rapporteur underlined in his report the violation of their land and resource rights as a result of colonial practices; the widespread illegal allocation of titles in traditional indigenous lands; the creation of protected areas; the destruction of the forests; and policies aimed at the privatization of pastoralist lands. Those processes, linked to the environmental impact of development projects and the lack of recognition of indigenous traditional livelihoods, has left a balance of increased landlessness, resource-related conflicts and poverty. The Special Rapporteur recommended the urgent implementation of new land policies aimed at seeking redress for historical and contemporary injustices and the inclusion of indigenous peoples in decision-making processes that affect their communities. The report pays special attention to the overall situation of the marginalization of indigenous communities in their access to basic social services, including education and health, and the difficult situation faced by indigenous women across the country.

57. The partnerships enhanced by the Special Rapporteur during his visit and the findings of the mission are an important contribution to the national process of engaging with indigenous peoples in Kenya. This contribution comes at a time when the country is in the process of formulating a national action plan and policy on human rights that has already set out to consider indigenous peoples' issues in the process. This process has also so far received input from an expert meeting convened by the Kenya National Commission on Human Rights to explore how best to engage/incorporate indigenous peoples' issues into the process of formulation of the national action plan and policy on human rights.

UNDP Suriname

58. In Suriname, a $75,000 UNDP/Government project aimed at empowering indigenous and the Maroon (people of African descent) authorities to fully participate in a national land rights dialogue has been initiated, with support from the UNDP Democratic Governance Thematic Trust Fund. A joint Indigenous Peoples and Maroons Land Rights Commission was established in February 2007 and is the official counterpart for further discussions with the Presidential Land Rights Commission, which comprises various governmental representatives.

59. UNDP Suriname is also providing support to the Ministry of Regional Development in formulating a comprehensive programme for regional development, with an emphasis on participatory planning. The collective rights of indigenous peoples and the tribal Maroons feature prominently in that process, including collective land rights and legal recognition of traditional authorities and the "community" entity.

VI. Global Environment Facility: small grants programme

60. Since 1992, the Global Environment Facility small grants programme has promoted grass-roots action to address global environmental concerns. The small grants programme allocates grants of up to $50,000 — with an average grant size of $20,000 — directly to non-governmental, community-based organizations and indigenous peoples' organizations to support their efforts to protect the environment while generating sustainable livelihoods. The programme is a corporate initiative of the Global Environment Facility, and is implemented by UNDP on behalf of the

three implementing agencies of the Facility, which include UNDP, the United Nations Environment Programme and the World Bank. The programme currently operates through a decentralized management system in 95 developing countries around the world.

61. While the small grants programme is generally praised in comparison with other GEF operations, it is not without problems. Indigenous peoples and local community organizations complain that the procedures for securing GEF small grants remain complex and can often take months or even years to be approved. The GEF (2003) *Compilation of NGO interventions — GEF Council Meeting, May 2003*, is available at http://www.gefweb.org/Partners/partners-Nongovernmental_Organ/Compilation_of_NGO_Interventions_-_May_03_-_2003.pdf. At small grants programme consultations, indigenous participants complained that their proposals are often disregarded or bounce back from the National Steering Committees, and that in many cases indigenous peoples have difficulty in accessing the small grants programme system. The small grants programme has made efforts to develop more culturally appropriate and user-friendly procedures for securing funds, including an innovative method of using video and non-written application procedures piloted in Indonesia.

62. **Indonesia: visual proposal development for indigenous peoples.**[1] In March 2004, the National Steering Committee of the Indonesia small grants programme approved the introduction of video funding proposals for indigenous peoples and local communities in cases where written formats are culturally inappropriate. The first video proposal was compiled by the Orang Rimba people, requesting funds for a project to support community protection of their forest lands adjacent to the Bukit Dua Belas National Park in Sumatra. The making of the video proposal was made possible in April 2004 with a small grants programme planning grant. The initiative worked with an intermediary multilingual anthropologist and outside film-makers (both of whom were selected by the indigenous community as "trusted individuals"), abiding by the principle of free prior and informed consent with regard to project design and agreements. The memorandum of understanding for the project recognized a tailored in-kind contribution from the Orang Rimba in order to ensure compatibility with their economic and cultural circumstances.

63. The Orang Rimba proposed forming a living fence around their forest territory through the establishment of a series of gardens and settlements to defend the forest against illegal loggers, palm oil companies and colonists. The small grants programme project financed solar panels for the village schools so that young people could work on the establishment of the territorial demarcation during the day and engage in study in the evenings. Preparation for the project proposal video was found to be a useful tool for advocacy and education materials, and stimulated policy dialogue with national park and forest authorities.

[1] The full title of the project is Visual proposal development: an alternative to make small grants more accessible to indigenous peoples — case study: the living fence and the jungle school: protecting the Orang Rimba and their forest home, Bukit Dua Belas National Park, Jambi, Sumatra, Indonesia power point presentation, GEF small grants programme, Indonesia.

Engaging with the Global Environment Facility small grants programme in Kenya: fostering national-level partnerships and access to resources

64. The United Nations Indigenous Peoples Advisory Committee in Kenya participated in various forums at the national level. Of significance was the invitation from the national steering committee of the Global Environment Facility small grants programme to participate in their meeting and advise its members on how to better address indigenous peoples' issues in its small grants programme. This participation was in line with the recommendations of the Permanent Forum on Indigenous Issues in which participatory video methodology was presented as an opportunity to access the small grants programme.

65. In ensuing consultations with indigenous communities at the grass-roots level, the communities highlighted environmental priorities. After evaluation by the Global Environment Facility small grants programme national steering committee, three participatory videos were produced in order to address environmental issues and to enhance the livelihoods of indigenous communities. Furthermore, the video proposals were presented to the national steering committee on 23 February 2007. In addition, the chair of the United Nations Indigenous Peoples Advisory Committee in Kenya was invited to become a member of the small grants programme national steering committee in Kenya in order to promote further integration of indigenous peoples' issues into the national process.

Small grants programme — Promotion of Tropical Forests in Malaysia

66. The small grants programme — Promotion of Tropical Forests in Malaysia is part of a regional programme, the European Community-UNDP small grants programme for operations to promote tropical forests. The main community focus of the Promotion of Tropical Forests programme in Malaysia is on the indigenous peoples of the country.

67. The Promotion of Tropical Forests programme in Malaysia supports organizations working with indigenous communities to implement small forest-related projects that promote sustainable forest use. Since 2004, it has helped implement over 20 projects in various communities throughout Sarawak, Sabah and peninsular Malaysia. Unique to the Promotion of Tropical Forests in Malaysia is its provision of support to start up indigenous community-based organizations.

68. As of January 2007, it can be seen that providing support to indigenous organizations ensures a more direct outreach to target communities, even if more facilities and monitoring need to be put in place to ensure that they are able to comply with administrative and financial reporting requirements. The range of projects of the Promotion of Tropical Forests programme in Malaysia is broad in category and specific to the locale of the project. UNDP supports projects that demonstrate both economic enterprise and sustainable use of forests. In some areas, this means supporting direct reforestation and ecotourism, in other areas, it means supporting handicrafts or small agri- and food industries and in yet other areas, support of traditional knowledge documentation is essential to sustainable forest management. What is important is that the community is able to have a decisive stake in the management and implementation of the project and to be impacted directly as a result of the project. Further details are available at http://www.sgpptf.org/countries.asp?Country=Malaysia.

UNDP/GEF small grants programme in Suriname

69. The UNDP/GEF small grants programme in Suriname has over 20 community projects involving indigenous and the Maroon peoples, focusing on global environmental issues in relation to local sustainable livelihoods, for example, nature tourism and microhydro energy. In addition, the GEF small grants programme, in partnership with the Civil Society Organizations Division, has been working to facilitate indigenous peoples' access to grants through innovative methods, such as participatory video-making. Two consultative workshops were held in 2004 and 2005, and in 2006 a how-to handbook on participatory video-making, commissioned by the Global Environment Facility small grants programme, the Civil Society Organizations Division and HURIST, was launched.

VII. The Equator initiative

70. The Equator initiative is a partnership of UNDP, civil society, business, Governments and communities to help build the capacity and raise the profile of grass-roots efforts to reduce poverty through the conservation and sustainable use of biodiversity. The Equator initiative works in close collaboration with indigenous organizations. Over 40 per cent of Equator Prize finalists and winners (2002-2006) identify themselves as indigenous groups, communities or initiatives. Through Equator dialogues, the Equator initiative creates a platform for local voices and celebrates the success of community action to achieve the Millennium Development Goals. Through community dialogue spaces and special events, Equator dialogues draw critical attention to local development and conservation successes, while fostering peer-to-peer exchange and direct access to decision-makers and policy processes.

71. Most recently, at the Community Taba at the Eighth Ordinary Meeting of the Conference of the Parties to the Convention on Biological Diversity the Equator initiative partnered with the Intertribal Committee of Brazil to produce and organize the meeting space. In addition to participating in the daily programme of the Taba, indigenous groups from around the world coordinated several side events at the space and culture shares. Following the organization of a successful side event at the meeting, the Equator initiative has deepened its collaboration with the UNDP regional initiative, and is currently planning regional community dialogue spaces in Thailand and Papua New Guinea to take forward the recommendations surfacing from the Eighth Ordinary Meeting of the Conference of the Parties to the Convention on Biological Diversity and to mobilize for the Ninth Ordinary Meeting as they pertain to indigenous peoples' priorities in the field of biodiversity conservation and poverty reduction.

72. Furthermore, capacity development is an important aspect of the Equator initiative's engagement with indigenous people. For example, as a result of his work with the Equator initiative, and as an Equator Prize finalist in 2004, Gladman Chibememe, an indigenous Zimbabwean, and Secretary of the Chibememe Earth Healing Association, has been serving on the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions. He and another indigenous leader, Donato Bumacas, Executive Director of the Kalinga Mission for Indigenous Children and Youth Development of the Philippines, have also facilitated a number of the community dialogue spaces. Most recently, the Kalinga Mission worked with the

Equator ventures team to elaborate a proposal to launch a microcredit facility for indigenous women in their community. The proposal has received private funding and is under development.

VIII. Millennium Development Goals

73. Over the past four years, UNDP has engaged in raising awareness of the Millennium Development Goals among indigenous peoples and their organizations at various international forums. UNDP seeks to collaborate with indigenous peoples and their organizations in achieving the Millennium Development Goals and recognizes that greater efforts are needed to include the participation of indigenous peoples' organizations in the development of the country reports that monitor the progress of achievement of the Goals. Greater coordination between indigenous peoples' organizations and the Millennium Campaign remains a challenge.

74. UNDP builds the capacity of communities to localize the Millennium Development Goals by providing small grants to community-oriented sustainable development projects as well as through community-to-community learning exchange facilities that encourage the sharing of knowledge and best practices among community-based organizations. In addition, community dialogue spaces profile communities during global conferences and highlight the contribution of communities, and especially indigenous peoples, in achieving the Millennium Development Goals. The dialogue spaces bring together representatives of communities and indigenous peoples with international governmental and civil society organizations leaders for a frank exchange on how to develop an enabling environment for community participation in regional development.

75. The policy dialogue on the theme "Localizing the Millennium Development Goals in Sarawak: improving equity in Sarawak", which was organized by the United Nations country team in Malaysia, discussed localizing the Millennium Development Goals, in particular from the perspective of improving spatial and ethnic equity in development outcomes in the lesser developed state of Sarawak in eastern Malaysia. The aim of the policy dialogue was to:

- take stock of progress towards achieving the Millennium Development Goals in Sarawak
- identify priority strategies to overcome constraints
- create space for dialogue
- build awareness about the roles that can be played by stakeholders

This was a joint event with funding from the United Nations country team, the United Nations Children's Fund and UNDP.

76. The dialogue reviewed programmes that address poverty, including those in the Ninth Malaysia Plan, taking into account the special needs of indigenous communities, including challenges related to the dispersion of population over a vast terrain; locality, ethnicity, occupation and differences in values and culture, among others. Unintended, unmanaged, unheeded socio-economic factors can have impact on long-term growth and equity. There is a need to mainstream marginalized indigenous communities. While indicators of health-related Millennium Development Goals demonstrate good progress in Sarawak, sharp disparities exist

among rural and urban populations, ethnic groups and districts. Vulnerable groups include children, poor women, rural indigenous groups, the elderly, the disabled and migrant labour. The dialogue also addressed issues related to strategies aimed at improving environmental management, which is hindered by constraints posed by the limited manpower in enforcement agencies to monitor compliance, inadequate coordination of stakeholders and lack of public awareness. A summary report on the policy dialogue is available at http://www.undp.org.my/index.php?navi_id=7.

IX. Inter-Agency Support Group on Indigenous Issues

77. UNDP is an active member of the Inter-Agency Support Group on Indigenous Issues. On 12 July 2006, the United Nations Development Group, of which UNDP is the chair, endorsed a proposal to draw the attention of United Nations country teams to the Programme of Action of the Second International Decade of the World's Indigenous People and to take appropriate actions in this regard to the extent possible. The United Nations Development Group also recommended that the Inter-Agency Support Group on Indigenous Issues, composed of 30 United Nations system agencies, funds and programmes and other intergovernmental organizations, in consultation with the United Nations Development Group Programme Group, provide support and guidance in mainstreaming indigenous issues in operational activities of the United Nations by working through existing mechanisms and procedures. UNDP is a member of the task force established to implement this recommendation.

X. Conclusions and recommendations

78. **UNDP welcomes the opportunity to work with the Permanent Forum in ensuring greater engagement of indigenous peoples in the policies and programmes of UNDP, and determining how to ensure that responsive governance mechanisms are more effective. UNDP looks forward to strengthening its cooperation with and receiving advice from indigenous peoples on how to improve its work in order to ensure greater conformity with the rights and aspirations of indigenous peoples and to implement the recommendations of the Permanent Forum.**

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Special theme: "Territories, lands and natural resources"

Implementation of recommendations on the six mandated areas of the Forum and on the Millennium Development Goals

Information received from the United Nations system and other intergovernmental organizations**

United Nations Human Settlements Programme

Summary

The United Nations Human Settlements Programme (UN-Habitat) works towards improving living conditions, adequate shelter for all and sustainable human settlements development, while focusing on the needs of the poor and other vulnerable and disadvantaged groups, including indigenous peoples. The Habitat Agenda, the Millennium Development Goals and other relevant international instruments and frameworks related to spatial, economic and social development and human rights, provide guidance to the work of UN-Habitat .

In response to the recommendations and requests from the previous sessions of the Permanent Forum on Indigenous Issues, UN-Habitat is organizing, in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the secretariat of the Forum, the International Organization for Migration and the Economic Commission for Latin America and the Caribbean, an international expert group meeting on urban indigenous people and migration, from 27 to 29 March 2007 in Santiago. The report of the meeting is to be submitted to the Permanent Forum at its sixth session.

* E/C.19/2007/1.

** The submission of the present report was delayed in order to ensure the inclusion of the most recent information.

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Three of the resolutions adopted by the twentieth session of the Governing Council of UN-Habitat make particular reference to the challenges faced by indigenous communities in the urban context and constitute the most recent UN-Habitat policy elements in this area. These resolutions focus on youth and human settlements, sustainable development of Arctic cities and housing as a component of the right to an adequate standard of living for persons who are vulnerable and disadvantaged.

UN-Habitat has several instruments, programmes, projects and activities that are relevant to indigenous peoples' territories, lands and natural resources. UN-Habitat activities in the field of disaster mitigation, post-conflict issues and safety in the context of human settlements are related to the housing and living conditions of indigenous peoples in most cases. However, the United Nations Housing Rights Programme, jointly implemented by UN-Habitat and OHCHR, the Advisory Group on Forced Evictions and the Global Land Tool Network are UN-Habitat instruments whose practices are most directly related to issues of indigenous peoples' territories, lands and natural resources. They are all actively contributing to much-needed advocacy work, research and tool development for indigenous peoples' housing rights and secure tenure. One of the Network's key priorities is the development of rigorous land administration and governance tools as an instrument to include, inter alia, indigenous groups. The Network aims at establishing a continuum of land rights, including for minority groups, rather than focusing only on individual land titling.

Ongoing UN-Habitat activities are contributing to the five main objectives of the Second International Decade of the World's Indigenous People through economic and social empowerment of indigenous peoples; urban economic development and finance; rural-urban linkages; promoting civic engagement, social integration, participatory urban planning and management; gender mainstreaming and efforts under way to establish a global monitoring and evaluation mechanism for progress in the realization of housing rights.

The present report is prepared in response to recommendations of the fifth session of the Permanent Forum, as specified in paragraph 161 of the report on that session, addressed exclusively to UN-Habitat , and in other paragraphs as related and relevant to the mandate and activities of the Organization.

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I. Response to recommendations addressed exclusively to the United Nations Human Settlements Programme

1. In recognizing the challenges related to urbanization and indigenous peoples, notably the urgent need of furthering the research and documentation undertaken by the United Nations Housing Rights Programme, the Permanent Forum recommended in its fourth session that an expert group meeting on this topic be organized. At its fifth session, the Permanent Forum reiterated its recommendation to expand the scope of this endeavour beyond the field of housing and to cover urban issues comprehensively under the general theme of "Urban indigenous peoples and migration".

2. The expert group meeting was to be organized by the United Nations Human Settlements Programme (UN-Habitat) in cooperation with the secretariat of the Permanent Forum with the participation of the members of the Permanent Forum, experts from indigenous organizations, the United Nations system and other relevant intergovernmental organizations and interested Governments, for the purpose of formulating recommendations for consideration, as part of its preparatory work for the sixth session. The Permanent Forum requested donors to provide financial resources for the expert group meeting. The Permanent Forum invited the International Organization for Migration (IOM) to assist in the preparations for this meeting.

3. In responding to this recommendation and with generous funding from the Government of Canada, this expert group meeting is to be held from 27 to 29 March 2007 at the Economic Commission for Latin America and the Caribbean headquarters in Santiago. The meeting will be convened by UN-Habitat and the Office of the United Nations High Commissioner for Human Rights (OHCHR) within the framework of UNHRP, along with the secretariat of the Forum and the Latin American and Caribbean Demographic Centre (CELADE) of the Economic Commission for Latin America and the Caribbean and IOM.

4. The overall goal of the expert group meeting is to contribute to improving the living conditions of urban indigenous peoples and the realization of their human rights. The specific objectives of the meeting are: (a) to assess impacts of the migration process on indigenous peoples; (b) to analyse living conditions and the human rights situation of indigenous peoples in urban areas with the aim of generating comprehensive knowledge based on the latest research findings; (c) to evaluate current policies and practices and their effects on living conditions and the realization of the human rights of indigenous peoples in urban areas; and (d) to elaborate recommendations on how to improve the living conditions of urban indigenous peoples and to contribute to the realization of their human rights.

5. The expert group meeting is a follow-up to the findings and recommendations of a number of recent activities carried out by UN-Habitat and other entities of the United Nations system:

(a) A UNHRP research initiative in 2005 resulted in the publication of a book entitled "Indigenous peoples' right to adequate housing: a global overview" (research findings were reported to the fourth session of the Permanent Forum);

(b) The expert seminar on the theme "Indigenous peoples and migration: challenges and opportunities", organized by the Permanent Forum and IOM and

held in Geneva on 6 and 7 April 2006, stressed the need for addressing the nexus between indigenous peoples and migration within the following three main areas: State responsibility; information-sharing; and the role of the international community. The recommendations included the need to recognize the broad impact — both positive and negative — of indigenous peoples' migration on society and the urgency of strengthening the implementation of existing laws to protect indigenous migrants;

(c) Another UN-Habitat research project, realized under the umbrella of the Global Campaign on Urban Governance in cooperation with the University of Venice and funded by the Government of Italy, produced 10 case studies on urban policies and practices addressing international migration. A book entitled *International Migrants and the City*, published in 2005, was drawn from this research and analyses the impact of national policies on international migration, the role of migrants in the local economy, the relationship between local and migrant communities and the migrants' use of urban space. The case studies on Bangkok and Sao Paolo, Brazil, in particular, look at indigenous urban migrants from neighbouring countries;[1]

(d) A networking event on the theme "Sustainable development of the far north: sustainable cities and human settlements", held at the third session of the World Urban Forum, organized by the Arctic Council, during which the issue of indigenous people and urbanization was discussed.

6. The task of the experts is to prepare papers and presentations that will review policies and practices and their effects on the living conditions of urban indigenous people. The experts, representing all major regions, were identified in collaboration with the organizations contributing to the realization of the expert group meeting. They will present case studies covering the particular situations of a wide range of urban indigenous communities. In addition, members of the Permanent Forum and other participating United Nations entities will make overview presentations on current trends in indigenous peoples' situations in urban settings, analysed from intercultural and housing rights perspectives. In addition, the Fondo Indígena, which is hosting a workshop on a similar topic in Brussels in March 2006, has been invited to present their work.

7. The work of the experts, falling within their respective area of expertise in his/her particular region, country or city, will cover the following activities:

(a) A review of the current state of research and data availability with a view to identifying knowledge gaps and needs concerning various aspects of urban indigenous peoples and mobility/migration (such as the interplay of individual and community characteristics and push-pull factors that can affect the decision to move; and the roles of migration and ethnic mobility in the growth of urban indigenous populations);

(b) An analysis of living conditions and the human rights situations of indigenous peoples in urban areas through case studies on themes such as housing, employment, education, transition/settlement services, identities and ethnic mobility, cultural and linguistic continuity and human security, in particular among indigenous women and youth;

[1] In Sao Paolo: Quechua and Aymara from Bolivia; in Bangkok: Mon, Karen and Shan from Myanmar.

(c) An assessment of policies, good practices and underlying factors, patterns and characteristics regarding migration to urban areas by indigenous peoples, with a special focus on the violations of their rights (experts are expected to provide an overview of their seven regions so that the themes are presented in a holistic way, as they are all interconnected);

(d) Recommendations for practical measures and policies that are more evidence-based, relevant, effective and cognizant of both intended and possible unintended consequences, for the improvement of living conditions of indigenous peoples in urban areas and the realization of their human rights;

(e) Recommendations for further research to better inform mobility/migration and urban indigenous issues, including improved data collection and coverage, methodology and tools of measurement, development of indicators and areas of study;

(f) Devising a road map for the follow-up to the findings and recommendations of the expert group meeting.

8. The summary report of the expert group meeting will be submitted to the sixth session of the Permanent Forum and a publication containing all papers, presentations, deliberations and policy recommendations from the meeting will be made available on the website of the United Nations Housing Rights Programme and other participating organizations.

II. Response to recommendations addressed to the United Nations system

9. UN-Habitat has a clear position on the rights of indigenous peoples. Given the nature of its mandate, that is, to promote socially and environmentally sustainable towns and cities with the goal of providing adequate shelter for all, UN-Habitat works towards the improvement of living conditions, adequate shelter for all and sustainable human settlements development, while focusing on the needs of the poor and other vulnerable and disadvantaged groups, including indigenous peoples. The Habitat Agenda, Millennium Development Goals and other relevant international instruments and frameworks related to spatial, economic and social development and human rights provide guidance to the work of UN-Habitat.

III. Obstacles to implementation of recommendations of the Permanent Forum

10. The main obstacle UN-Habitat faces in implementing policies relevant to indigenous peoples is inadequacy of staff resources and lack of funds. For example, the delay in realizing the expert group meeting recommended by the Permanent Forum in its fourth and fifth sessions was due to the non-availability of funds. Similarly, effective implementation of resolution 20/8 of the UN-Habitat Governing Council, on the sustainable development of Arctic cities (see section IV), has not been possible to date due to the inadequacy of available funds.

IV. Other significant information regarding recent policies, programmes, budgetary allocations or activities regarding indigenous issues

11. The three resolutions adopted by the twentieth session of the Governing Council of UN-Habitat that made particular reference to challenges faced by indigenous communities in the urban context constitute the most recent UN-Habitat policy elements in this area.

12. In resolution 20/1, on youth and human settlements, the Governing Council expressed its special concern "that girls and young women and indigenous young people are particularly at risk of exclusion and discrimination, and that gender inequalities also negatively affect boys and young men".

13. In resolution 20/8, on the sustainable development of Arctic cities, the Governing Council noted with concern that the development of human settlements of the far north and the Arctic region is impeded by severe climatic conditions coupled with environmental pollution and a decrease in the number of indigenous people and their growing vulnerability; acknowledged the special need to provide adequate shelter for the indigenous people of the Arctic region and the need to ensure the sustainable development of human settlements in that region; and welcomed the fruitful work of the Arctic Council in promoting the cooperation, coordination and joint action of stakeholder countries of the Arctic region, including principles relating to the protection of the environment and the health of the indigenous population and the improvement of the social and economic conditions of Arctic communities. In the resolution, the Governing Council requested the Executive Director to assist in raising the awareness of the international community of the sustainable development challenges of the far north and the Arctic region, including those faced by the indigenous people residing in those areas. It further invited the Executive Director to consult the United Nations Environment Programme (UNEP), the Arctic Council, the World Bank, the North-North Network and other partners and stakeholders about the sustainable development of cities and other human settlements, the promotion of improved shelter infrastructure in the far north and the Arctic region and the creation of favourable living conditions for the indigenous people of that area. As mentioned in section III, the implementation of this resolution is subject to availability of funds.

14. In resolution 20/13, the Governing Council reaffirmed and elaborated on housing as a component of the right to an adequate standard of living for persons who are vulnerable and disadvantaged. By definition, indigenous people can be considered as vulnerable and disadvantaged. UN-Habitat was requested to:

(a) Integrate the protection of persons belonging to vulnerable and disadvantaged groups into all its activities;

(b) Develop/strengthen mechanisms for monitoring the impact of human settlement policies and programmes on the lives and work of disadvantaged persons in cities, including those in low-income areas and slums, and for enhancing vulnerable and disadvantaged persons' networks and other organizations active in the area.

15. In the same resolution the Governing Council encouraged UN-Habitat member States to:

(a) Adopt appropriate policies, create mechanisms and allocate appropriate resources to tackle social problems resulting from lack of adequate shelter, such as gender-based violence, including family violence and discrimination, juvenile delinquency and criminality — phenomena that are widespread in indigenous communities, which are under pressure from various factors;

(b) Support through their laws and policies access to housing as a component of the right to an adequate standard of living for vulnerable and disadvantaged people, and take the necessary actions for the practical implementation of those rights;

(c) Seek alternatives to forced evictions in respect of vulnerable and disadvantaged persons, where applicable;

(d) Strengthen the participation of vulnerable and disadvantaged groups in human settlements development programmes, resource allocation and in the delivery of basic services;

(e) Reinforce mechanisms protecting the access of vulnerable and disadvantaged persons to adequate housing.

16. Internally, a draft strategy paper for the mainstreaming of a rights-based approach in general and of housing rights in particular in all activities of UN-Habitat was prepared in 2005. The paper included a specific focus on the protection of persons who are vulnerable and disadvantaged, including indigenous people.

V. Information and suggestions regarding the special theme of the sixth session, "Territories, lands and national resources"

17. UN-Habitat has several instruments, programmes, projects and activities that are relevant to indigenous peoples' lands, territories and resources. Overall, global UN-Habitat programmes and activities focusing on poverty alleviation in the context of the Millennium Development Goals impact directly on indigenous people's livelihoods. More specifically, UN-Habitat activities in the field of disaster mitigation, post-conflict issues and safety in the context of human settlements are related to housing and living conditions of indigenous peoples in most cases.

18. However, the United Nations Housing Rights Programme, the Advisory Group on Forced Evictions and the Global Land Tool Network are UN-Habitat instruments whose practices are most directly related to issues of indigenous peoples' lands, territories and resources. They are all actively contributing to much-needed advocacy work, research and tool development for indigenous peoples' housing rights and secure tenure.

19. The United Nations Housing Rights Programme provides a programmatic approach to addressing housing rights, drawing on the mandates of both UN-Habitat and OHCHR. The main activities of the Programme are:

(a) Advocacy, outreach and learning from partners;

(b) Support for United Nations human rights mechanisms on housing rights, including the rights of internally displaced persons, populations displaced as a result of natural or human-made disasters;

(c) Monitoring and evaluation of the realization of housing rights, including development of a set of housing rights indicators;

(d) Research and analysis on housing rights (promotion and development of relevant norms, standards and guidelines and thematic research on housing rights);

(e) Capacity-building and technical cooperation (assistance to States and other stakeholders in building capacities for the implementation and monitoring of housing rights).

20. The Programme is in the process of initiating housing rights activities at the national level in a pilot project in Cambodia in response to calls from the United Nations country team for guidance with regard to the challenge of recent large-scale evictions of slum dwellers in Phnom Penh. At the country level, the Programme's implementation will be a good way to address the housing rights of indigenous peoples more effectively within the wider framework of United Nations activities in Member States. This pilot activity can be seen as a follow-up to Asia-Pacific regional consultations for advocacy, information and experience exchange and capacity-building in the area of housing rights that were organized by UNHRP in collaboration with the Economic and Social Commission for Asia and the Pacific and held in Bangkok in 2004. The Programme plans to facilitate such housing rights consultations also in other regions. These consultations will give adequate focus to indigenous peoples.

21. In response to the fact that in many countries forced evictions of squatters, low-income renters, indigenous peoples and other vulnerable groups with inadequate or no security of tenure are carried out with relative ease, in 2004, UN-Habitat facilitated the establishment of the Advisory Group on Forced Evictions, an advisory organ that reports to the Executive Director of UN-Habitat. The Group has since worked to alleviate the plight of the urban poor by monitoring acts of forced evictions and promoting alternatives. In cases where eviction cannot be avoided, the Group recommends that resettlement be undertaken through community participation with provision for some form of alternative land with long-term security. By spearheading the fight against forced evictions, the Group advises the Executive Director on alternative ways of addressing the problem. In its first two reports to the Executive Director,[2] the Group documented 26 cases of imminent or ongoing evictions in many countries and successfully engaged in conciliatory activities to propose alternatives to forced evictions in a number of countries worldwide, some of which were targeted at indigenous communities.[3] One of the principles that the Group promotes is that when evictions and relocations are unavoidable, they must be undertaken in a manner that conforms to international human rights standards as contained in Committee on Economic, Social and Cultural Rights general comment No. 7 and the United Nations comprehensive human rights guidelines on development-based displacement.

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[2] UN-Habitat (2005), "Forced evictions — towards solutions?", first report of the Advisory Group on Forced Evictions to the Executive Director of UN-Habitat (available at www.unhabitat.org). UN-Habitat (2006), "Forced evictions — towards solutions?", second report of the Advisory Group on Forced Evictions to the Executive Director of UN-Habitat (still in draft form and not yet circulated).

[3] For example, the case in Digya National Park, Ghana, and the case of the Basarwa/San people in the Central Kalahari Game Reserve, Botswana.

22. The Global Land Tool Network, recently initiated by UN-Habitat and partners like the Swedish International Development Cooperation Agency and the World Bank, seeks to develop and promote innovative and flexible land tools in order to achieve security of tenure and housing rights for vulnerable groups, including indigenous peoples. One of the Network's key priorities is the development of rigorous land administration and governance tools as instruments to include, inter alia, indigenous groups. The Network aims at establishing a continuum of land rights, including for minority groups, rather than focusing only on individual land titling.

23. Land policies in most countries continue to promote individual land ownership through property title registration. For cultural and economic reasons, this often does not meet the needs of indigenous people who, in many cases, have collective land ownership systems and cannot afford individual land titles. Furthermore, studies have demonstrated that indigenous peoples have been disadvantaged during titling operations, for example through technical difficulties in determining their land boundaries, often a result of demarcation being done without prior field visits by the responsible technicians. The high costs of titling and cumbersome registration procedures have in many instances proven to be obstacles for indigenous communities attempting to access freehold or other forms of individual land ownership.

24. Tenure systems developed and practised by indigenous communities in many situations are based on simpler and culturally familiar and/or adapted procedures. These indigenous tenure systems should be seen as alternatives to conventional models. In general, collective tenure allows the reduction of statutory land tenure interference and enables indigenous peoples to adopt a self-governance system. Experience over the past 30 years has shown that customary indigenous land tenure can coexist with the statutory system. Thus, communities that were granted collective tenure have used a wide variety of technologies and methods to map and demarcate their land. In Peru and the Philippines for example, indigenous surveys and mapping methods have been recognized and accepted as the basis for land claims and registration.

VI. Information regarding the Second International Decade of the World's Indigenous People

25. Ongoing UN-Habitat activities are contributing to the five main objectives of the Decade in the following ways.

Objective 1
Promoting non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of international, regional and national processes regarding laws, policies, resources, programmes and projects

26. In recognition of the fact that one of the main causes of many indigenous peoples' disadvantaged position in the housing sector is their poverty, UN-Habitat places great emphasis on the economic and social empowerment of indigenous peoples. This is in keeping with the principle that the right to adequate housing is a constituent element of the right to an adequate standard of living as articulated in

the International Covenant on Economic, Social and Cultural Rights. Therefore, UN-Habitat advocates for Governments to take the following measures:

(a) Create the circumstances for indigenous peoples to become economically self-reliant. This can be done through a number of effective measures, the most important of which is ensuring that indigenous peoples retain access to their lands and other productive resources such as credit and loans and education and training;

(b) Develop specific economic policies that stimulate employment opportunities in urban areas and development in rural areas taking into account indigenous peoples' needs, rights and modes of production;

(c) Provide adequate services (both in terms of culture and quality) to all indigenous communities in order to counter the socio-economic disadvantages experienced by many indigenous peoples, such as poor health and low levels of education.

27. These principles have an important place in the work of UN-Habitat in the areas of urban economic development and finance. UN-Habitat seeks to provide substantive analytical focus on the urban economy and its relationship with the national and global economy, and focus on policies and strategies aimed at employment generation and creation of opportunities for social mobility. Its activities focus on conceptualization, formulation and development of research, capacity-building and on the provision of advisory services on issues of urban economic development and finance, including housing finance. Broadly, it seeks to provide economic analysis perspective to human settlements programmes by focusing attention on the operation of the urban economy and how these programmes affect or are affected by the quality of local governance and national economic management. It covers four substantive areas, namely:

(a) Enhancing productivity and employment in the urban informal sector;

(b) Financing municipal services in a decentralized environment;

(c) Impact of macroeconomic factors on urban economic development;

(d) Development and strengthening of housing finance systems and institutions, through, inter alia, the Slum Upgrading Facility.

28. Due to the strong ties binding urban indigenous peoples to their ancestral lands, rural-urban linkages are usually of particular concern to them. A UN-Habitat subprogramme strives to promote local economic development by raising the awareness and enhancing the capacity of central and local government policymakers with respect to rural-urban linkage development. This is based on the premise that urbanization should be accepted as inevitable; therefore, emphasis should be placed on how to address problems created by rapid rural-to-urban migration both within cities and rural areas. UN-Habitat works towards strengthening urban-rural linkages to promote the balanced development of rural and urban areas. In this context, studies have been carried out on peri-urban agriculture as a strategy for survival of the urban poor and at the same time as a contribution to the issue of food security. Together with the Food and Agriculture Organization of the United Nations (FAO) and other partners, UN-Habitat published guidelines under the title "Urban-rural linkages: approach to sustainable development" (2005).

Objective 2

Promoting full and effective participation of indigenous peoples in decisions that directly or indirectly affect their lifestyles, traditional lands and territories, their cultural integrity as indigenous peoples with collective rights or any other aspect of their lives, considering the principle of free, prior and informed consent

Objective 3

Redefining development policies that depart from a vision of equity and that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples

29. As mentioned in section I, the UN-Habitat Global Campaign on Urban Governance facilitated research on urban policies and practices addressing international migration (published in "International migrants and the city" in 2005). Its findings reveal the importance and the advantages of promoting communication between stakeholders, establishing channels for representation and participation of migrants in decisions affecting their livelihoods and the key role that local authorities have in promoting civic engagement, social integration, participation and representation among international migrants, including indigenous people. The policies and practices required to do so are, in many ways, a litmus test of a city's political will to improve urban governance for the benefit of all of its citizens and for a better and more sustainable future.

30. As part of the proposed new focus of UN-Habitat, as defined by the Medium-Term Strategic Plan 2008-13, the Programme's work will centre around five thematic focus areas, one of which will be participatory urban planning, management and governance, with the strategic intent of strengthening the performance of national Governments, local authorities and other stakeholders to enable the development of liveable, productive and inclusive cities. One of the key results, the adoption of inclusive and effective urban planning and local economic development practices, with adequate attention to slum prevention and rural-urban linkages, is of particular relevance to indigenous communities in the urban context, as it will promote their adequate participation in urban decision-making processes.

31. In the context of this new strategic focus, the Global Campaign on Urban Governance and the Global Campaign for Secure Tenure will evolve into a single Global Campaign for Sustainable Urbanization. Indigenous issues in the urban setting will form part of the agenda of this new single Campaign. Equally, the UN-Habitat Shelter and Sustainable Human Settlements Development Division ("Global Division") has identified its overarching theme as "Sustainable urban development". In this context, efforts are under way to establish a global network of partners, acting individually or jointly to further the understanding and application of the principles of sustainable urban development, at the global, regional, national and/or city (local) levels. This global network will, inter alia, create a forum for dialogue between the different stakeholders at the country, regional and global levels and facilitate client-tailored training and capacity-building modules and processes and can therefore be seen as a policy initiative that will be highly significant for urban indigenous people and will require the participation of their organizations.

Objective 4

Adopting targeted policies, programmes, projects and budgets for the development of indigenous peoples, including concrete benchmarks, with particular emphasis on indigenous women, children and youth

32. Over the past several years, gender has become a cross-cutting issue for all UN-Habitat activities. As mentioned in section IV, Governing Council resolution 20/1, on youth and human settlements, drew attention to the increased risk of exclusion and discrimination that girls and young women and indigenous young people are facing and the fact that gender inequalities also negatively affect boys and young men.

33. Currently, gender is being mainstreamed throughout UN-Habitat, thus addressing the Habitat Agenda commitment to gender equality by promoting women's equal rights and women's empowerment — a challenge that is particularly relevant to indigenous communities.

Objective 5

Developing strong monitoring mechanisms and enhancing accountability at the international, regional and (particularly) national level, regarding the implementation of legal, policy and operational frameworks for the protection of indigenous peoples and the improvement of their lives

34. One of the ongoing key activities of the United Nations Housing Rights Programme is the establishment and effective operation of a global monitoring and evaluation mechanism on progress in the realization of housing rights (housing rights indicators). It is envisaged that the Programme, in collaboration with the Committee on Economic, Social and Cultural Rights, will assist member States and other stakeholders in the collection of data and information and in reporting on their efforts towards the realization of housing rights. The disaggregation of data includes, inter alia, the category "race/ethnicity" and will therefore allow for analysis of the realization of indigenous peoples' housing rights.